

AGENDA
JEFFERSON COUNTY COMMISSION
FIRST QUARTERLY SESSION - JANUARY-MARCH 2019
THURSDAY, JANUARY 3, 2019
9:30 A.M.
County Commission Meeting Room
located at the Old Charles Town Library
200 E. Washington Street, Charles Town, WV

CALL TO ORDER

PLEDGE OF ALLEGIANCE

1. 9:30 a.m. County Commission Organization
 - a. Selection of President
 - b. Selection of Vice President
 - c. Committee Assignments

APPROVAL OF MINUTES

- December 20, 2018 - Regular Meeting

APPROVAL OF ACCOUNTS PAYABLE

- December 27, 2018
- January 3, 2019

APPROVAL OF MANUAL CHECKS

- December 28, 2018
- January 4, 2019

APPROVAL OF PAYROLL

- December 27, 2018

ANNOUNCEMENTS

- Report if there are changes in the agenda if applicable

PUBLIC COMMENT

PRESENTATIONS

2. 10:00 a.m. Matthew Pennington, Eastern Panhandle Planning and Development Council (Region 9)
 - Chesapeake Bay Watershed Implementation Plan (WIP) - Phase 3 Local Government Input and Strategy Development - Discussion/Action
3. 10:15 a.m. Seth Rivard, City of Charles Town
 - Request approval of evening and weekend parking in County parking lot - Discussion/Action
4. 10:30 a.m. Roger Goodwin, Chief County Engineer
 - Partial Bond Release - Bavarian Inn, Inc. - Bavarian Inn Brew Pub Addition (File #S17-07) - Discussion/Action
 - Complete Bond Release - William H. Scott Inter Vivos Trust - SPARC Training Campus, Phase II, Section One Lots 1-4, 11 & Residue (File #07-14R) - Discussion/Action
5. 10:45 a.m. **BREAK**
6. 11:00 a.m. Lynn Fields, Probate Office
 - Quarterly Review to Approve/Close Estates - Discussion/Action
 - Approve and accept Findings and Recommendations of Fiduciary Commissioner regarding estate of Billy Hoe Clevenger - Discussion/Action
 - Refer the estate of Barbara Longerbeam to a Fiduciary Commissioner for mediation of beneficiary conflicts - Discussion/Action
7. 11:15 a.m. Nathan Cochran, Assistant Prosecuting Attorney
 - Discussion of Jefferson County Civil Action #17-C-282 - Discussion/Action
 - Discussion of renewal of County cable franchise agreement and related issues - Discussion/Action
 - Discussion of Jefferson County Circuit Court Civil Action #18-P-132 - Discussion/Action
 - Discussion of EEOC Charge #533-2018-01557 - Discussion/Action
 - Discussion of Jefferson County Circuit Court Civil Action #18-C-171 - Discussion/Action
 - Discussion of EEOC Charge #533-2017-00706 - Discussion/Action
 - Discussion of Jefferson County Circuit Court Civil Action # 18-C-201 - Discussion/Action
8. 12:15 p.m. **Break for Lunch**

NEW BUSINESS

9. Approval of the 2019 Board of Review and Equalization Notice - Discussion/Action
10. Approval of Contract for the WV Courthouse Facilities Improvement Authority 16th Cycle Grant - 16cycJeff2019 - Discussion/Action

COUNTY ADMINISTRATOR REPORTS

- Discuss RFP/Bid - NACO Efficiency & Salary Study - Discussion/Action

COUNTY COMMISSION REPORTS

~~~~~ AFTERNOON SESSION ~~~~~

11. 1:30 p.m. Legislative Summit

- Introduction of Delegation & Opening Comments
- Discussion Topics
 - Rockwool
 - MARC Train
 - Property Safety Enforcement Agency Fire Chief Position (Designee)
 - Joint/Dual Services Legislation
 - Unclaimed Body Legislation
- Closing Comments from the Commission

12. **ADJOURN**

CORRESPONDENCE/INFORMATION

Meet and Greet the County Commissioners on Monday, January 14, 2018 at 6:00 p.m. at the South Jefferson Elementary School.

Information received from the WV State Tax Department regarding Property Valuation Training and Procedures Commission (PVC).

Correspondence received from Bruce D. Strathearn and Maral P. Strathearn regarding Rockwool.

Correspondence from John Gordon regarding the Confederate plaque.

Minutes received from the Jefferson County Public Service District for the Regular Board Meeting on November 5, 2018.

At all times the County Commission reserves the right to rearrange agenda times because of time constraints and to accommodate the Commission schedule or the public.



AGENDA REQUEST FORM
www.jeffersoncountywv.org

Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **January 3, 2019**

If a specific date is needed, please provide reason for specific date: [Click here to enter text.](#)

Date Requested – 2nd Choice: [Click here to enter text.](#)

Subject (*Wording to be placed on agenda*): **Committee Assignments**

Please provide the County Commission with a description of your request or presentation, including any background information:

Is this a funding request? **Y/N** [Click here to enter text.](#)

If so, how much? **\$**[Click here to enter text.](#)

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*):

Attach supporting documents for request, or request may be denied.

If not attached, explain: [Click here to enter text.](#)

Is equipment needed? **Projector** **Y/N** [Click here to enter text.](#) **Internet/Wi Fi** **Y/N** [Click here to enter text.](#)

Telephone for conference call **Y/N** [Click here to enter text.](#)

Contact information:

Email address: [Click here to enter text.](#) Phone Number: [Click here to enter text.](#)

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

[Click here to enter text.](#)

**Assignment to Boards,
Commissions & Organizations
Calendar Year 2019**

<i>Organization</i>	<i>Commissioner 2018</i>	<i>Commissioner 2019</i>
Affordable Housing	Hudson	
Approval of Bills	Hudson	
Board of Health	Hudson	
Building Repair & Security Courthouse Committee	Noland	
Community Corrections Committee - Day Report Center	Hudson	
Development Authority	Onoszko	
E-911 Council	Tabb	
Extension Service	Tabb	
Farmland Protection Board	Tabb	
Jefferson County Convention & Visitors Bureau	Noland	
Jefferson County Emergency Services Agency / Fire & Rescue	Compton	
Historic Landmarks Commission	Onoszko	
Homeland Security/LEPC	Tabb	
Legislative Liaison	County Administrator	
MPO Interstate Council	Noland	
Eastern Panhandle Transit Authority (EPTA)	Noland	
Parks and Recreation	Hudson	
Planning Commission	Onoszko	
Public Service District Liaison	Compton	
Region 9	Noland	
Solid Waste Authority	Compton	
Water Advisory Committee	Hudson	
Workforce Investment Act Liaison	Noland	

County Commission Recurring Monthly Meetings

	Monday	Tuesday	Wednesday	Thursday	Friday
WK1	7pm – Public Service District	7pm – WAC		*9:30am – JCC Mtg.	
WK2	5pm – Farmland Protection Board	1pm – JCCOA *7pm – Planning Commission	1pm – Community Criminal Justice Board 7pm – Historic Landmarks		*9:30 am – Board of Health
WK3	4pm- EPTA	3pm – Development Authority 7pm – JCESA	7:30 am - LEPC (March, June, Sept., Dec.) 12pm – JCCVB 4pm – 911 Advisory Committee (Jan, April, July, Oct) 7pm – Parks and Rec.	*10:00pm JCC Mtg.	
WK4	7pm – Solid Waste Authority	*7pm - Planning Commission (as needed)			* 10-12pm - Board of Health (as needed)

*meetings held at the Jefferson County Commission meeting room - Old Charles Town Library

Minutes

Jefferson County Commission

Thursday, December 20, 2018

A meeting of the Jefferson County Commission was held on Thursday, December 6, 2018 during the fourth quarterly session in the County Commission meeting room in the Old Charles Town Library located at 200 E. Washington Street, Charles Town, WV 25414. Present were Commissioners Josh Compton, Caleb Hudson, Ralph Lorenzetti, Patricia Noland, and Jane Tabb. Also present were Stephanie Grove, County Administrator; Jessica Carroll, Executive Administrative Assistant; Jacqueline Shadle, County Clerk; and Jim Eddy, Bailiff. (An audio tape of the Thursday, December 20, 2018 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Noland led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Noland to approve the December 6, 2018 Regular Meeting Minutes as presented/amended. Motion seconded and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Noland to approve the Purchase Orders for December 20, 2018 in the amount of \$8,328.80 to include Purchase Order No. 52777. Motion seconded and unanimously approved.

APPROVAL OF PAYROLL

Motion by Ms. Tabb to approve the payroll for December 13, 2018 in the amount of \$263,781.60. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
081053	401	BEST BEST & KRIEGER LLP		\$ -	\$ 2,756.00	\$ 2,756.00
081054	P/R DED	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
081055	P/R DED	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
081056	406	CASTO & HARRIS INC		\$ -	\$ 97.34	\$ 97.34
081057	402	CTWV-APA CHARLES TOWN AP		\$ -	\$ 20.00	\$ 20.00
081058	P/R DED	CONSOLIDATED PUBLIC		\$ -	\$ 500.00	\$ 500.00
081058	P/R DED	CONSOLIDATED PUBLIC		\$ -	\$ 7.85	\$ 7.85
081059	700	RONALD DANTZIC		\$ -	\$ 5.08	\$ 5.08
081060	413	ESS ELECTION SYSTEMS &		\$ -	\$ 2,405.32	\$ 2,405.32
081060	413	ESS ELECTION SYSTEMS &		\$ -	\$ 1,184.00	\$ 1,184.00
081060	413	ESS ELECTION SYSTEMS &		\$ -	\$ 4,790.05	\$ 4,790.05
081060	413	ESS ELECTION SYSTEMS &		\$ -	\$ 110.25	\$ 110.25
081061	717	FLEETPRIDE		\$ -	\$ 136.08	\$ 136.08
081062	424	MEGAN FARIAS		\$ -	\$ 159.78	\$ 159.78
081063	700	FORREST RICHARD FEAGANS		\$ -	\$ 13.45	\$ 13.45
081064	404	TERESA HENDRICKS		\$ -	\$ 25.29	\$ 25.29
081065	GRANT	JEFFERSON DAY REPORT CNT		\$ -	\$ 1,074.60	\$ 1,074.60
081066	P/R DED	JEFFERSON SECURITY BANK		\$ -	\$ 4,925.00	\$ 4,925.00
081067	P/R DED	VICTOR C LUPIS III		\$ -	\$ 297.92	\$ 297.92
081068	ALLOC	MIDDLEWAY FIRE CO		\$ -	\$ 95,000.00	\$ 95,000.00
081069	P/R DED	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 543.86	\$ 543.86
081070	P/R DED	NATIONWIDE RETIREMENT		\$ -	\$ 849.00	\$ 849.00
081071	425	POTOMAC EDISON/OH		\$ -	\$ 12.38	\$ 12.38
081072	700	ROBERT L. PETERSON SR		\$ -	\$ 15.88	\$ 15.88
081073	717	RICE TIRES CO		\$ -	\$ 431.12	\$ 431.12
081073	717	RICE TIRES CO		\$ -	\$ 375.08	\$ 375.08
081074	402	SOFTWARE SYSTEMS, INC		\$ -	\$ 27.00	\$ 27.00
081074	404	SOFTWARE SYSTEMS, INC		\$ -	\$ 2,721.24	\$ 2,721.24
081074	406	SOFTWARE SYSTEMS, INC		\$ -	\$ 71.00	\$ 71.00
081074	428	SOFTWARE SYSTEMS, INC		\$ -	\$ 217.00	\$ 217.00
081075	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 47,200.28	\$ 47,200.28
081075	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 11,038.86	\$ 11,038.86
081075	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 36,225.83	\$ 36,225.83
081076	P/R DED	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 6,972.98	\$ 6,972.98
081076	P/R DED	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 9,844.23	\$ 9,844.23
081077	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 114.00	\$ 114.00
081078	700	CORP OF SHEPHERDSTOWN		\$ -	\$ 222.16	\$ 222.16
081078	700	CORP OF SHEPHERDSTOWN		\$ -	\$ 158.40	\$ 158.40
081079	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 1,780.00	\$ 1,780.00

081079	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 520.00	\$ 520.00
081080	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 10,281.93	\$ 10,281.93
081080	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 22,848.71	\$ 22,848.71
081080	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 3,757.43	\$ 3,757.43
081080	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 6,262.44	\$ 6,262.44
081081	428	WVNET		\$ -	\$ 50.00	\$ 50.00
081082	401	WVCORP		\$ -	\$ 33,147.50	\$ 33,147.50
081083	700	DARYLL WIMER		\$ -	\$ 2.12	\$ 2.12
081084	402	XEROX CORPORATION		\$ -	\$ 301.18	\$ 301.18
081084	402	XEROX CORPORATION		\$ -	\$ 366.91	\$ 366.91
081084	402	XEROX CORPORATION		\$ -	\$ 375.87	\$ 375.87
081084	440	XEROX CORPORATION		\$ -	\$ 473.05	\$ 473.05
081085	P/R DED	DEBRA A. YOUNG		\$ -	\$ 709.43	\$ 709.43
TOTAL					\$ 311,594.27	\$ 311,594.27

Motion by Ms. Tabb to approve the Accounts Payable for December 13, 2018 in the amount of \$311,594.27. Motion seconded and unanimously approved.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
081087	ALLOC	AHA/ART&HUMANITIES ALLNC		\$ -	\$ 790.24	\$ 790.24
081088	424	BOLAND TRANE SERVICES IN		\$ -	\$ 270.00	\$ 270.00
081088	425	BOLAND TRANE SERVICES IN		\$ -	\$ 125.00	\$ 125.00
081088	425	BOLAND TRANE SERVICES IN		\$ -	\$ 136.00	\$ 136.00
081088	425	BOLAND TRANE SERVICES IN		\$ -	\$ 166.00	\$ 166.00
081088	425	BOLAND TRANE SERVICES IN		\$ -	\$ 1,034.00	\$ 1,034.00
081089	P/R DED	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
081090	P/R DED	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
081091	P/R DED	CONSOLIDATED PUBLIC		\$ -	\$ 500.00	\$ 500.00
081092	700	FEDEX		\$ -	\$ 56.51	\$ 56.51
081093	425	FIRE SAFETY EQUIP		\$ -	\$ 1,359.00	\$ 1,359.00
081094	415	GENERAL COUNTY FUND-J FE		\$ -	\$ 25,121.75	\$ 25,121.75
081095	717	GUTTMAN OIL CO		\$ -	\$ 2,626.38	\$ 2,626.38
081095	717	GUTTMAN OIL CO		\$ -	\$ 3,022.82	\$ 3,022.82
081095	717	GUTTMAN OIL CO		\$ -	\$ 3,050.72	\$ 3,050.72
081096	403	JEFFERSON CENTER		\$ -	\$ 100.00	\$ 100.00

081097	ALLOC	JEFFERSON COUNTY HISTORI		\$ -	\$ 1,170.15	\$ 1,170.15
081098	712	DR. ROBERT E. JONES III		\$ -	\$ 1,000.00	\$ 1,000.00
081099	P/R DED	JEFFERSON SECURITY BANK		\$ -	\$ 4,925.00	\$ 4,925.00
081100	405	JUDICIAL DIALOG SYSTEMS	52693	\$ 26,950.00	\$ -	\$ 26,950.00
081101	405	RELX INC.		\$ -	\$ 1,100.00	\$ 1,100.00
081101	405	RELX INC.		\$ -	\$ 1,100.00	\$ 1,100.00
081101	405	RELX INC.		\$ -	\$ 1,100.00	\$ 1,100.00
081101	405	RELX INC.		\$ -	\$ 1,100.00	\$ 1,100.00
081101	405	RELX INC.		\$ -	\$ 1,100.00	\$ 1,100.00
081102	P/R DED	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 543.86	\$ 543.86
081103	P/R DED	NATIONWIDE RETIREMENT		\$ -	\$ 849.00	\$ 849.00
081104	ALLOC	JEFF CO PARKS &		\$ -	\$ 17,795.59	\$ 17,795.59
081105	P/R DED	LAURA POPE		\$ -	\$ 1,951.43	\$ 1,951.43
081106	P/R DED	WILLIAM POLK		\$ -	\$ 468.15	\$ 468.15
081107	405	SPECIALTY BUS SUPPLIES		\$ -	\$ 36.99	\$ 36.99
081108	704	WV REGIONAL JAIL &		\$ -	\$ 95,438.50	\$ 95,438.50
081109	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 2,280.00	\$ 2,280.00
081109	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 520.00	\$ 520.00
081110	402	TAMMY SHAFFER		\$ -	\$ 10.00	\$ 10.00
081113	401	ADOBE		\$ -	\$ 48.12	\$ 48.12
081113	401	AMAZON		\$ -	\$ 418.73	\$ 418.73
081113	401	BAUDVILLE INC		\$ -	\$ 125.85	\$ 125.85
081113	401	NEOPOST		\$ -	\$ 230.00	\$ 230.00
081113	401	NEOPOST		\$ -	\$ 36.51	\$ 36.51
081113	401	SPIRIT OF JEFFERSON		\$ -	\$ 2,745.66	\$ 2,745.66
081113	401	SPRINT		\$ -	\$ 56.03	\$ 56.03
081113	401	STAPLES		\$ -	\$ 43.81	\$ 43.81
081113	402	SPIRIT OF JEFFERSON		\$ -	\$ 463.72	\$ 463.72
081113	404	SPIRIT OF JEFFERSON		\$ -	\$ 4,340.46	\$ 4,340.46
081113	405	SPRINT		\$ -	\$ 112.06	\$ 112.06
081113	412	COMCAST		\$ -	\$ 105.75	\$ 105.75
081113	413	CASTO HARRIS		\$ -	\$ 5,490.55	\$ 5,490.55

081113	413	SHEETZ		\$ -	\$ 87.00	\$ 87.00
081113	413	SPIRIT OF JEFFERSON		\$ -	\$ 138.28	\$ 138.28
081113	413	THE HOME DEPOT		\$ -	\$ 616.49	\$ 616.49
081113	413	WAL-MART		\$ -	\$ 11.64	\$ 11.64
081113	415	FRONTIER		\$ -	\$ 86.22	\$ 86.22
081113	415	SPRINT		\$ -	\$ 112.05	\$ 112.05
081113	424	CHARLES TOWN UTILITIES		\$ -	\$ 189.91	\$ 189.91
081113	424	FRONTIER		\$ -	\$ 10,076.07	\$ 10,076.07
081113	424	POTOMAC EDISON		\$ -	\$ 2,627.82	\$ 2,627.82
081113	424	SPRINT		\$ -	\$ 56.03	\$ 56.03
081113	425	AMAZON		\$ -	\$ 69.48	\$ 69.48
081113	425	AMAZON		\$ -	\$ 51.05	\$ 51.05
081113	425	CHARLES TOWN UTILITIES		\$ -	\$ 1,350.65	\$ 1,350.65
081113	425	COMCAST		\$ -	\$ 1,093.19	\$ 1,093.19
081113	425	CRYSTAL SPRINGS		\$ -	\$ 977.47	\$ 977.47
081113	425	GOODMAN AIR CNDTN/HTNG		\$ -	\$ 1,165.10	\$ 1,165.10
081113	425	GRAINGER		\$ -	\$ 269.34	\$ 269.34
081113	425	JEFFERSON COUNTY P.S.D		\$ -	\$ 647.40	\$ 647.40
081113	425	JEFFERSON RENTALS		\$ -	\$ 23.85	\$ 23.85
081113	425	JEFFERSON UTILITIES, INC		\$ -	\$ 860.77	\$ 860.77
081113	425	MILLERS OFFICE PRODUCTS		\$ -	\$ 1,075.15	\$ 1,075.15
081113	425	POTOMAC EDISON		\$ -	\$ 22,786.12	\$ 22,786.12
081113	425	RCS/ALARM FUNDING ASSOC		\$ -	\$ 2,351.50	\$ 2,351.50
081113	425	RCS/ALARM FUNDING ASSOC		\$ -	\$ 522.00	\$ 522.00
081113	425	SSC-SOUTHERN STATES		\$ -	\$ 52.99	\$ 52.99
081113	425	THE HOME DEPOT		\$ -	\$ 532.54	\$ 532.54
081113	425	THE HOME DEPOT		\$ -	\$ 3.97	\$ 3.97
081113	425	THE HOME DEPOT		\$ -	\$ 190.57	\$ 190.57
081113	425	THE HOME DEPOT		\$ -	\$ 15.73	\$ 15.73
081113	425	THOS SOMERVILLE		\$ -	\$ 425.55	\$ 425.55
081113	425	WAL-MART		\$ -	\$ 96.94	\$ 96.94
081113	425	WEISS BROS OF HAGERSTOWN		\$ -	\$ 35.64	\$ 35.64
081113	425	WM WASTE MGNT		\$ -	\$ 745.61	\$ 745.61

081113	425	WM WASTE MGNT		\$ -	\$ 745.61	\$ 745.61
081113	428	ADVANTAGE TECH		\$ -	\$ 4,200.00	\$ 4,200.00
081113	428	AMAZON		\$ -	\$ 23.00	\$ 23.00
081113	428	AMAZON		\$ -	\$ 193.16	\$ 193.16
081113	428	AMAZON		\$ -	\$ 491.70	\$ 491.70
081113	428	AMAZON		\$ -	\$ 34.39	\$ 34.39
081113	428	AMAZON		\$ -	\$ 21.59	\$ 21.59
081113	428	AMAZON		\$ -	\$ 36.79	\$ 36.79
081113	428	DOUBLE RADIUS INC		\$ -	\$ 227.05	\$ 227.05
081113	428	OFFICE DEPOT		\$ -	\$ 1,084.18	\$ 1,084.18
081113	428	OFFICE DEPOT		\$ -	\$ 69.81	\$ 69.81
081113	428	PCM TIGER DIRECT		\$ -	\$ 415.32	\$ 415.32
081113	428	PCM TIGER DIRECT		\$ -	\$ 3,685.48	\$ 3,685.48
081113	428	QUALITY UPTIME SERVICES		\$ -	\$ 11,554.61	\$ 11,554.61
081113	428	SERVER SUPPLY		\$ -	\$ 1,675.80	\$ 1,675.80
081113	428	SPRINT		\$ -	\$ 157.86	\$ 157.86
081113	428	TEXTEDLY COM		\$ -	\$ 20.00	\$ 20.00
081113	428	WORKABLE SOFTWARE LTD		\$ -	\$ 50.00	\$ 50.00
081113	428	WWW.LOGMEIN.COM		\$ -	\$ 374.49	\$ 374.49
081113	440	AMAZON		\$ -	\$ 37.69	\$ 37.69
081113	440	ASFPM		\$ -	\$ 160.00	\$ 160.00
081113	440	INTL CODE COUNCIL INC		\$ -	\$ 84.53	\$ 84.53
081113	440	SPIRIT OF JEFFERSON		\$ -	\$ 147.34	\$ 147.34
081113	440	SPRINT		\$ -	\$ 168.09	\$ 168.09
081113	700	AMAZON		\$ -	\$ 12.25	\$ 12.25
081113	700	BUFFALO WILD WING		\$ -	\$ 21.24	\$ 21.24
081113	700	BURGER KING		\$ -	\$ 16.45	\$ 16.45
081113	700	CHIEF SUPPLY		\$ -	\$ 363.12	\$ 363.12
081113	700	COMFORT INN		\$ -	\$ 410.32	\$ 410.32
081113	700	EAST GARDEN		\$ -	\$ 14.03	\$ 14.03
081113	700	EBAY		\$ -	\$ 97.11	\$ 97.11
081113	700	GOWERS FEED INC		\$ -	\$ 172.08	\$ 172.08
081113	700	HARDEES		\$ -	\$ 6.33	\$ 6.33

081113	700	HOLIDAY INN		\$ -	\$ 131.10	\$ 131.10
081113	700	MAMAS PIZZA		\$ -	\$ 11.29	\$ 11.29
081113	700	MCDONALDS		\$ -	\$ 5.77	\$ 5.77
081113	700	OUTBACK		\$ -	\$ 25.79	\$ 25.79
081113	700	PUBLIC AGENCY TRAINING		\$ -	\$ 525.00	\$ 525.00
081113	700	SIRCHIE FINGER PRINT LAB		\$ -	\$ 55.59	\$ 55.59
081113	700	SPRINT		\$ -	\$ 1,570.89	\$ 1,570.89
081113	700	THE HOME DEPOT		\$ -	\$ 29.97	\$ 29.97
081113	700	TRACTOR SUPPLY CO		\$ -	\$ 95.98	\$ 95.98
081113	700	USPS US POSTAL SERVICE		\$ -	\$ 3.75	\$ 3.75
081113	700	VISIONS RESTAURANT		\$ -	\$ 30.00	\$ 30.00
081113	700	WENDY'S		\$ -	\$ 25.38	\$ 25.38
081113	711	SPRINT		\$ -	\$ 190.99	\$ 190.99
081113	712	FRONTIER		\$ -	\$ 4,917.85	\$ 4,917.85
081113	712	NATIONAL ACADEMY OF EMD		\$ -	\$ 150.00	\$ 150.00
081113	712	OFFICE DEPOT		\$ -	\$ 19.29	\$ 19.29
081113	712	SPRINT		\$ -	\$ 890.66	\$ 890.66
081113	712	WAL-MART		\$ -	\$ 43.86	\$ 43.86
081113	712	XYBIX SYSTEMS INC.		\$ -	\$ 453.17	\$ 453.17
081113	716	SPRINT		\$ -	\$ 56.03	\$ 56.03
081113	717	AMAZON		\$ -	\$ 86.48	\$ 86.48
081113	717	FISHER AUTO PARTS		\$ -	\$ 619.62	\$ 619.62
081113	717	HAGERSTOWN FORD		\$ -	\$ 374.63	\$ 374.63
081113	717	NAPA AUTO PARTS		\$ -	\$ 669.43	\$ 669.43
081113	717	PILOT		\$ -	\$ 62.00	\$ 62.00
081113	717	WINCHESTER EQUIPMENT		\$ -	\$ 40.35	\$ 40.35
081114	ALLOC	JEFFERSON CO CONVENTION		\$ -	\$ 19,755.98	\$ 19,755.98
081115	717	WHOLESALE TIRES, INC.		\$ -	\$ 15.06	\$ 15.06
081116	440	WV STATE FIRE COMMISSION		\$ -	\$ 75.00	\$ 75.00
081116	440	WV STATE FIRE COMMISSION		\$ -	\$ 75.00	\$ 75.00
081116	440	WV STATE FIRE COMMISSION		\$ -	\$ 75.00	\$ 75.00
081117	P/R DED	CONNIE CONNER		\$ -	\$ 988.83	\$ 988.83

081118	425	ZMM ARCHITECTS & ENGINEE		\$ -	\$ 1,852.50	\$ 1,852.50
TOTAL						\$ 322,221.51
TOTAL				\$ 26,950.00	\$ 295,271.51	\$ 322,221.51

Motion by Ms. Noland to approve the Accounts Payable for December 20, 2018 in the amount of \$322, 221.51. Motion seconded and unanimously approved.

MANUAL CHECKS

ASSESSOR VALUATION						
O56						
CHECK#		VENDOR				Amount
712		MILLER'S SUPPLIES AT WORK				\$ 116.85
713		WV SOCIETY PROF SURVEYORS				\$ 25.00
714		GLOBAL SCIENCE & TECH				\$ 167.26
FARMLAND PROTECTION BOARD						
O57						
CHECK#		VENDOR				Amount
308		JEFFERSON CO FARMLAND PROT				\$ 54,630.35
SHERIFF C/O						
246						
CHECK#		VENDOR				Amount
1702		TYLER TECH				\$ 6,000.00
1703		TYLER TECH				\$ 2,550.00
1704		MINGHINI'S				\$ 55,250.00
IMPACT FEES						
249						
CHECK#		VENDOR				Amount
1164		SHERIFF JEFFERSON CO -SCHOOL				\$ 70,442.32
1165		SHERIFF JEFFERSON CO - LAW				\$ 1,008.29

1166		SHERIFF JEFFERSON CO - PARKS				\$ 5,256.03
1167		SHERIFF JEFFERSON CO - EMS				\$ 576.29
TOTAL						\$ 200,084.82

Motion by Ms. Noland to approve the Manual Checks for December 14, 2018 in the amount of \$200,084.82. Motion seconded and unanimously approved.

COAL SEVERANCE						
OO2						
Date	Check #	VENDOR				Amount
12/21/2018	474	JEFFERSON CO HISTORIC				\$ 500.00
12/21/2018	475	JEFF. CO COMM. MINISTRIES				\$ 4,000.00
CAPITAL O/L						
246						
Date	Check #	VENDOR				Amount
12/21/2018	1705	SNYDER ENVIRO.				\$ 82,835.51
IMPACT FEES						
249						
Date	Check #	VENDOR				Amount
12/21/2018	129	MINGHINI'S				\$ 30,000.00
TOTAL						\$ 117,335.51

Motion by Ms. Tabb to approve the Manual Checks for December 21, 2018 in the amount of \$117,335.51. Motion seconded and unanimously approved.

PUBLIC COMMENT

David Tabb, resident – presented multiple complaints against the County Commission.

Nancy Gregory, resident – spoke in opposition to Rockwool Ranson.

Michael Tolbert, resident and member of the Charles Town City Council – presented literature and comments regarding an updated Charles Town post office and County government facility.

Ruth Hatcher, resident – spoke in opposition to Rockwool Ranson.

Eleanor Finn, resident and member of the League of Women Voters – thanked the Commission for working hard to provide information and access to the public via the legislative summit and the Meet Your Commissioners event and asked if the Commission would consider in-person ethics training.

Linda Ballard, resident – thanked the Commission for their vote to remove the Confederate plaque on the face of the Jefferson County Courthouse.

Bill Weston, resident – stated his displeasure of the removal of the Confederate plaque on the face of the Jefferson County Courthouse.

PRESENTATIONS

1. Mary Sell, Chair, Jefferson County Water Advisory Committee – request to partner with Region 9 on a Chesapeake Bay Implementation Grant Application

- **Motion by Ms. Tabb to approve the Jefferson County Water Advisory Committee’s partnership with Region 9 to apply for the Chesapeake Bay Implementation Grant in order to hire a consultant to prepare a five year plan to maximize the purpose of the Jefferson County Water Advisory Committee, now and in the future, in an effort to reduce nutrients, sediments, and pollution and further the goals of Clean Water and an Engaged Community in Jefferson County. Motion seconded and unanimously approved.**

2. Rob Glenn, Chair, Jefferson County Farmland Protection Board – discussion of Farmland Protection Board Executive Director Compensation

- **Motion by Ms. Tabb to increase the salary of Elizabeth Wheeler, Director of the Jefferson Count Farmland Protection Board, to \$60,000 per year, effective January 1, 2019 with the understanding that the funds from the County are reimbursed by the Farmland Protection Board. Motion seconded and unanimously approved.**

3. Jefferson County Development Authority Personnel – Discussion/Action

- **Motion by Mr. Compton to go into Executive Session to discuss personnel matters. Motion seconded and unanimously approved.**
- **Motion by Ms. Tabb to come out of Executive Session. Motion seconded and unanimously approved.**

- **Motion by Ms. Noland to direct Mr. Cochran to contact outside counsel to discuss the staff concerns at the Jefferson County Development Authority. Motion seconded and unanimously approved.**

4. Nathan Cochran, Assistant Prosecuting Attorney

- Discussion of Jefferson County Civil Action #17-C-282
- Discussion of Renewal of County Cable Franchise Agreement and related issues
- Update on Jefferson County Circuit Court Civil Action #18-P-132
- Update on Jefferson County Circuit Court Civil Action #18-C-158
- Discussion of EEOC Charge #533-2018-01557
- Discussion of Jefferson County Circuit Court Civil Action#18-C-171
- Discussion of Jefferson County Circuit Court Civil Action#18-C-108
- Discussion of EEOC Charge #533-2017-00706
- **Motion by Mr. Compton to enter into Executive Session to discuss an update on Jefferson County Circuit Court Civil Action #18-P-132; Jefferson County Circuit Court Civil Action #18-C-158; EEOC Charge #533-2018-01557; EEOC Charge #533-2017-00706; Jefferson County Circuit Court Civil Action#18-C-171; Jefferson County Circuit Court Civil Action #18-C-108. Motion seconded and unanimously approved.**
- **Motion by Ms. Tabb to come out of Executive Session. Motion seconded and unanimously approved.**

UNFINISHED BUSINESS

5. Appointment of Fire Chief to the Jefferson County Property Safety Enforcement Agency

- **Motion by Mr. Compton to appoint Chief Cogle to the Jefferson County Property Safety Enforcement Agency Board. Motion seconded but fails on a vote of 2-3 with Commissioners Compton, Hudson, and Tabb opposing.**

NEW BUSINESS

6. Set date, time, and location for the first regular meeting of 2019.

- **Motion by Mr. Compton to set the date, time, and location for the first regular meeting of 2019 for January 3, 2019 at 9:30 am in the JCC meeting room. Motion seconded and unanimously approved.**

COUNTY ADMINISTRATOR REPORTS

- Appointment of Ronald Fletcher as Chief Deputy for the Jefferson County Sheriff's Office & subsequent increase in compensation
 - **Motion by Ms. Tabb to appoint Ronald Fletcher as Chief Deputy for the Jefferson County Sheriff's Office with a \$250 monthly increase in compensation. The title is effective immediately. The increase in compensation is effective on December 30, 2018. Motion seconded and unanimously approved.**
- Update on Requests for Information from Rockwool and Various State Agencies – Ms. Grove provided the Commission with updates regarding tuft falls, trucking volume and routes, and “emergency” status of the Rockwool project as designated by the Infrastructure and Jobs Development Council. Ms. Grove also stated that she had made contact with the WVDEP but they had yet to provide answers to the questions posed by the Commission regarding Rockwool Ranson.
- Discuss topics for Legislative Summit –it was the consensus of the Commission to discuss the following during the January 3, 2019 legislative summit: Rockwool, MARC train funding, Property Safety Enforcement Agency fire chief position (or designee), joint services legislation, and unclaimed body legislation.

The Commission adjourned at 8:02 pm on a motion by Mr. Compton. Motion was seconded and unanimously approved.

JOSHUA COMPTON, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Administrative Assistant

DESCRIPTION	Fund 001 CO.	Fund 003 Dog	Total
Gross Wages	\$ 396,610.03	\$ 58.50	\$ 396,668.53
	\$ -		
6.2% Tax Payable OASDI	\$ 23,597.25	\$ 3.33	\$ 23,600.58
1.45% Tax Payable HI	\$ 5,518.73	\$ 0.78	\$ 5,519.51
Fed Withholding	\$ 36,092.76	\$ 3.57	\$ 36,096.33
WV State Withholding	\$ 16,849.24	\$ 2.41	\$ 16,851.65
PERS Retirement Deduct 4.5%	\$ 10,383.41	\$ 2.63	\$ 10,386.04
PERS Retirement Deduct 6%	\$ 3,995.94		\$ 3,995.94
Hosp. Pre-Tax	\$ 14,042.50		\$ 14,042.50
Cancer/ICU Pre-Taxed	\$ 312.08		\$ 312.08
Cancer/ICU Not Pre-Taxed	\$ 1,449.03		\$ 1,449.03
Optional Life Not Pre-Taxed	\$ 1,992.13		\$ 1,992.13
Christmas Club	\$ 4,925.00		\$ 4,925.00
Wage Attach #1	\$ 713.25		\$ 713.25
Wage Attach #2	\$ 500.00		\$ 500.00
Wage Attach #3	\$ -		\$ -
DSRS Retirement Deduct 8.5%	\$ 6,311.79		\$ 6,311.79
457 - Nationwide	\$ 849.00		\$ 849.00
457I - Empower	\$ 2,280.00		\$ 2,280.00
457R - Roth	\$ 520.00		\$ 520.00
MD State Tax	\$ 603.18		\$ 603.18
D/VF	\$ 1,659.21		\$ 1,659.21
VA. State Tax	\$ 172.87		\$ 172.87
COLONIAL(PLUS)	\$ 81.60		\$ 81.60
Total Deductions	\$ 132,848.97	\$ 12.72	\$ 132,861.69
Net Wages Total	\$ 263,761.06	\$ 45.78	\$ 263,806.84
Payroll Date	27-Dec-2018		

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: **Matthew Pennington**

Department or Organization: **Eastern Panhandle Planning and Development Council (Region 9)**

Estimation of amount of time needed for appointment: **Approximately 20 Minutes**

Date Requested – 1st Choice: **January 3, 2019**

If a specific date is needed, please provide reason for specific date:

This specific date is needed as the team which drafts the Chesapeake Bay Watershed Implementation Plan is currently working on this document for submittal to the federal Environmental Protection Agency (EPA). Bringing these updates to the new commissioner and existing commissioners as soon as possible will allow for a more input from our elected.

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*):

Chesapeake Bay Watershed Implementation Plan (WIP) - Phase 3 Local Government Input and Strategy Development Presentation

Please provide the County Commission with a description of your request or presentation, including any background information:

Successful implementation of WIP strategies requires a strong network built from local government leadership and clear communication. During the development and drafting of the Phase 3 WIP, the federal Environmental Protection Agency (EPA) is expecting all six state's Departments of Environmental Protection, (ex. WVDEP) to engage local governments, and develop feasible strategies that will be beneficial to their water resources and resonate locally. Matthew Pennington will provide an update the County Commission on our local regional effort to meet this responsibility and expectation.

Is this a funding request? Y/N **No**

If so, how much? \$ **na**

Provide exact financial impact/request:

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*):

No motion required. This is an informational session.

Attach supporting documents for request, or request may be denied.

If not attached, explain:

Document is attached. Please make copies an include in commission packets.

Is equipment needed? **No for all** Projector **Y/N** Internet/Wi Fi **Y/N** Telephone for conference call **Y/N**

Contact information:

Email address: mpennington@region9wv.com

Phone Number: 304-707-1920

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

Chesapeake Bay - WIP 3 Local Engagement

Progress Report

Matthew Pennington

Eastern Panhandle Regional Planning and Development Council

June 1, 2018 - August 1, 2018

Chesapeake Bay Program

Watershed Implementation Plan - Phase 3 Local County Meetings

During the months of June and July, the Region 9 Chesapeake Bay Coordinator hosted a series of meetings with each county in the Eastern Panhandle; Morgan, Berkeley, and Jefferson. The meetings were well attended and had representatives from a wide variety of new and traditional partners to focus on local priorities that can be included as strategies, or Best Management Practices (BMPs) in West Virginia's Phase 3 Watershed Implementation Plan (WIP-3).

Findings:

During the meetings several key themes emerged from all the three counties, as areas they would like to focus:

- 1) Source water protection implementation
- 2) MS4 Program assistance
- 3) Green Infrastructure implementation to reduce flash flooding risks.
- 4) Sanitary sewer inflow and infiltration assistance
- 5) Utility asset management

While the above themes were consistent throughout the communities, the list below is a compilation of other priorities discussed at these meetings.

Morgan Priorities:

- 1) Remediating privately owned sources of pollution to include failing septic systems and leaking storage tanks
- 2) Coordination of efforts to reduce duplication
- 3) More defined role of the West Virginia Department of Highways
- 4) Toxic Contaminant spill response assistance



Jefferson Priorities:

- 1) Implementation of Green Infrastructure practices
- 2) Greenway, trail, and park plan development
- 3) Increased Public Engagement and Agricultural Engagement
- 4) “Complete Street” development and a more defined role from the West Virginia Department of Highways
- 5) Sanitary sewer inflow and infiltration and asset management



Berkeley Priorities:

- 1) Stormwater Management BMP Operations and Maintenance assistance, including higher staffing capacity, training, and model Covenants /Restriction language within privately owned facility maintenance agreements
- 2) Conversion of Legacy SWM Practices to provide Water Quality benefits
- 3) Increased Public Engagement and Agricultural Engagement
- 4) Litter Control, Open Dumping, and other Solid Waste Issues
- 5) Assistance with Failing Septic Systems

Recommendations:

- Work with the West Virginia Tributary Team to determine how these local priorities can be credited within the model.
- Develop a funding approach for implementing the most feasible strategies.
- Understand long-term maintenance and verification requirements for local priority BMPs.

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: **Seth Rivard**

Department or Organization: **City of Charles Town**

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: **January 3, 2019**

If a specific date is needed, please provide reason for specific date:

Date Requested – 2nd Choice: **January 29, 2018**

Subject (*Wording to be placed on agenda*): **Evening and weekend parking in County parking lot**

Please provide the County Commission with a description of your request or presentation, including any background information:
See attached

Is this a funding request? Y/N **No funding requested. City to pay for new signage.**

If so, how much? \$ 0.00

Provide exact financial impact/request:

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*):

“Move to allow public parking in the County lot adjacent to East Liberty Street from 6pm to 2am Monday through Thursday and 6pm Friday to 2am Monday and the City of Charles Town will pay for the five new signs as proposed.”

Attach supporting documents for request, or request may be denied.

If not attached, explain:

Is equipment needed? Projector Y/N Internet/Wi Fi Y/N Telephone for conference call Y/N

Contact information:

Email address: srivard@charlestownwv.us

Phone Number: (304)-724-3251

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

The request before the County Commission is to allow public use of the County lot downtown after 6pm on the weekdays and available all weekend. Currently, the signage posted at this lot states that no parking is permitted at all, except for those with a permit for the lot. It is recognized that this is needed during business hours while the County offices are open. After 6pm on the weekdays and all weekend, the parking lot remains mostly vacant. The signs currently posted deter use of the lot during which there is minimal use of the lot.

There is an opportunity to permit use of this lot during non-business hours as defined below. Opening this lot during those hours would greatly increase the number of parking spaces available in the downtown area and in walking distance to shops, events, and tourist attractions. Charles Town has received designation as a Main Street community and is in the process of hiring a Downtown Coordinator to promote business retention, expansion, and attraction, in addition to promoting events and encouraging visitors to the downtown area. In summary, for the reasons noted above, the change proposed will provide additional parking that will benefit both the City and County.

There are currently there are 5 signs that restrict parking in the lot to permit holders. The City would pay to have all 5 of those signs to be changed to the proposed language below. The City of Charles Town would be amenable to discuss some insurance coverage assistance that may result in the opening of the lot to be used by the general public.

Proposed language for new signs:

RESTRICTED PARKING
Permit Holders Only - Monday – Friday 7am to 6pm
Violators will be towed at owner's expense

Free Parking
Monday – Thursday 6pm-2am
Friday 6pm – Sunday 2am

Jefferson County Commission
Cameras in use
Park at own risk

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Roger Goodwin
Department or Organization: Engineering, Planning & Zoning

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: January 3, 2019

If a specific date is needed, please provide reason for specific date: [Click here to enter text.](#)

Date Requested – 2nd Choice: [Click here to enter text.](#)

Subject (*Wording to be placed on agenda*): Two Bond Release requests

1. Bavarian Inn, Inc. – Bavarian Inn Brew Pub Addition (File #S17-07)
2. William H. Scott Inter Vivos Trust – SPARC Training Campus, Phase II, Section One, Lots 1-4, 11 & Residue (File #07-14R)

Please provide the County Commission with a description of your request or presentation, including any background information:

1. Partial release of Irrevocable Letter of Credit #300026965-4501 with United Bank, Martinsburg, WV construction bond security for Bavarian Inn, Inc. – Bavarian Inn Brew Pub Addition (File #S17-07)
2. Complete release of Cash-in-Escrow with BCT, Charles Town, WV construction bond security for William H. Scott Inter Vivos Trust – SPARC Training Campus, Phase II, Section One, Lots 1-4, 11 & Residue (File 07-14R)

Is this a funding request? Y/NO

If so, how much? [\\$Click here to enter text.](#)

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*):

1. I authorize a partial release of \$290,738.03 from Irrevocable Letter of Credit #300026965-4501 with United Bank for Bavarian Inn, Inc. – Bavarian Inn Brew Pub Addition (File #S17-07).
2. I authorize a complete release of Cash-in-Escrow Agreement with BCT in the amount of \$3,019.00 for the William H. Scott Inter Vivos Trust – SPARC Training Campus, Phase II, Lots 1-4, 11 & Residue (File #07-14R).

Attach supporting documents for request, or request may be denied:

Construction Bond Release Letter

Bond Release Request Report

Site Map

Is equipment needed? Projector Y/NO Internet/Wi Fi Y/NO Telephone for conference call Y/NO

Contact information:

Email address: engineering@jeffersoncountywv.org Phone Number: 304-728-3257

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS



JEFFERSON COUNTY COMMISSION

124 East Washington Street, P.O. Box 250, Charles Town, WV 25414

Phone: (304) 728-3284 - Fax: (304) 725-7916

Web: www.jeffersoncountywv.org

PRESIDENT
Josh Compton

VICE PRESIDENT
Caleb Wayne Hudson

COMMISSIONER
Patricia A. Noland

COMMISSIONER
Jane M. Tabb

COMMISSIONER
Ralph Lorenzetti

January 3, 2019

Mr. Timothy Pownell, VP
United Bank

450 Foxcroft Avenue

Martinsburg, West Virginia 25401

RE: Irrevocable Letter of Credit #300026965-4501 dated November 2, 2017
Construction Bond Surety for the Bavarian Inn, Inc. – Bavarian Inn Brew Pub
Addition (File #S17-07).

Dear Mr. Pownell:

The Jefferson County Commission authorizes a partial release of \$290,738.03 from the construction bond for the Bavarian Inn, Inc. – Bavarian Inn Brew Pub Addition (File #S17-07), for a new construction bond amount of \$11,877.00. This project is located on the east side of Route 5 (Shepherd Grade Road). Work remaining includes but is not limited to the following:

1. Site stabilization
2. Bond contingency amount

In summary, you are hereby authorized to reduce the amount of the above referenced Letter of Credit, originally issued in the amount of \$302,615.03 to \$11,877.00. Please contact the Jefferson County Department of Engineering at (304)-728-3257 if you have any questions.

Sincerely,

Jefferson County Commission President

JCCP:rfb

cc: Mr. Richard Klein, PE
Alpha Associates, Inc.
535 West King Street
Martinsburg, WV 25401
Department of Engineering, Planning & Zoning

County Administrator
Stephanie Grove

Deputy County Administrator
Sandy Slusher McDonald

BOND REDUCTION or RELEASE REQUEST - REPORT

Date Received: 12 / 13 / 2018

J.C.P.C. File No. S17 - 07

Consultant/Engineer/Firm Name: ALPHA

Mailing Address: 535 W. KING STREET

City: MARTINSBURG State: WV Zip: 25401

Contact Person: RICHARD KLEW Phone: 304 + 264-0051

Project/Subdivision Name: BAVARIAN INN BREW PUB ADDITION

Section/Phase: _____ Lots: _____

Review Comments:

The bond release/reduction is Approved as Submitted. _____ The bond release/reduction request is Denied.

_____ Add items/revise as shown per our comments on your attached bond release/reduction form & resubmit reduction/release request to our office for review and approval.

_____ Some site work has progressed beyond the required "milestone" site inspections that are to be performed by our office. As a result, you will need to schedule the inspections with our Land Development Inspector, and/or provide the certifications noted on the attached "Third-Party Certifications" checklist. Please collect all the required third-party certifications and submit them all at one time along with a copy of this report and the checklist.

_____ Bonding Policy & Unit Cost Figures attached for your use.

Comments: ALL WORK APPEARS COMPLETE WITH THE EXCEPTION OF A SMALL AREA STILL REQUIRES STABILIZATION. RETAINING A PORTION OF THE BOND UNTIL SPRING.

Approved for:
BOND REDUCTION
 By: [Signature] 12/17/2018
County Engineer Date

Original Bond Amt. \$ 263,143.00 + 15% Cont. \$ 39,471.00 = Total Original Bond Amt. \$ 302,615.00

Total Current Bond Amount \$ 302,615.00

Cost of Work Remaining \$ 10,327.00 + Contingency Amount \$ 1,549.00

= Approved for Revised Bond Amount \$ 11,877.00

Reviewed By: JOSEPH W. KEAT [Signature] Title: L.D.I.

Signature: [Signature] Date: 12 / 17 / 2018



JEFFERSON COUNTY COMMISSION

124 East Washington Street, P.O. Box 250, Charles Town, WV 25414

Phone: (304) 728-3284 - Fax: (304) 725-7916

Web: www.jeffersoncountywv.org

PRESIDENT
Josh Compton

January 3, 2019

VICE PRESIDENT
Caleb Wayne Hudson

Mr. Steven Shaffer, Assistant Vice President
Bank of Charles Town

COMMISSIONER
Patricia A. Noland

P. O. Box 906
Charles Town, West Virginia 25414

COMMISSIONER
Jane M. Tabb

RE: Cash in Escrow dated March 21, 2010 Construction Bond Surety for the William H. Scott Inter Vivos Trust – SPARC Training Campus, Phase II, Section One, Lots 1-4, 11 & Residue (File #07-14R).

COMMISSIONER
Ralph Lorenzetti

Dear Mr. Shaffer:

The Jefferson County Commission authorizes a complete release of the remaining \$3,019.00 from the construction bond amount for the William H. Scott Inter Vivos Trust – SPARC Training Campus, Phase II, Section One, Lots 1-4, 11 & Residue (File #07-14R). This project is located on the south side of Route 13 (Summit Point Road) and the west side of Route 1 (Leetown Road). The work appears to be 100% complete.

In summary, you are hereby authorized to fully release the remaining amount of the above referenced Cash in Escrow, originally issued in the amount of \$3,019.00. Please contact the Jefferson County Department of Engineering, Planning & Zoning at (304)-728-3257 if you have any questions.

Sincerely,

Jefferson County Commission President

JCCP:rfb

cc: Mr. Douglas Allison, President
Summit Point Raceway Associates, Inc.
P.O. Box 190
Summit Point, WV 25446
Department of Engineering, Planning & Zoning

County Administrator
Stephanie Grove

Deputy County Administrator
Sandy Slusher McDonald

JEFFERSON COUNTY, WEST VIRGINIA
 Engineering Department
 116 East Washington Street, P.O. Box 716
 Charles Town, West Virginia 25414

Phone: 304-728-3257
 Fax: 304-728-3953

Email: engineering@jeffersoncountywv.org

BOND REDUCTION or RELEASE REQUEST - REPORT

Date Received: 05 / 31 / 2018 J.C.P.C. File No. 07 - 14
(ORIGINAL REQUEST) (SUBDIVISION ASSOCIATED WITH SITE PLAN 506-08) RE-SUBDIVISION OF 07-14

Consultant/Engineer/Firm Name: GORDON

Mailing Address: 148 S QUEEN ST.

City: MARTINSBURG State: WV Zip: 25401

Contact Person: RYAN PERKS Phone: 301 + 725 - 8456

Project/Subdivision Name: SPARC RESUBDIVISION

Section/Phase: _____ Lots: _____

Review Comments:

The bond release reduction is Approved as Submitted. _____ The bond release/reduction request is Denied.

_____ Add items/revise as shown per our comments on your attached bond release/reduction form & resubmit reduction/release request to our office for review and approval.

_____ Some site work has progressed beyond the required "milestone" site inspections that are to be performed by our office. As a result, you will need to schedule the inspections with our Land Development Inspector, and/or provide the certifications noted on the attached "Third-Party Certifications" checklist. Please collect all the required third-party certifications and submit them all at one time along with a copy of this report and the checklist.

_____ Bonding Policy & Unit Cost Figures attached for your use.

Comments: STREE TREES HAVE BEEN PLANTED,
AND LT CORNERS SET.

Approved for:
BOND RELEASE
 By [Signature] 12/11/2018
County Engineer Date

Original Bond Amt. \$ 2,625 + 15% Cont. \$ 393.75 = Total Original Bond Amt. \$ 3,018.75

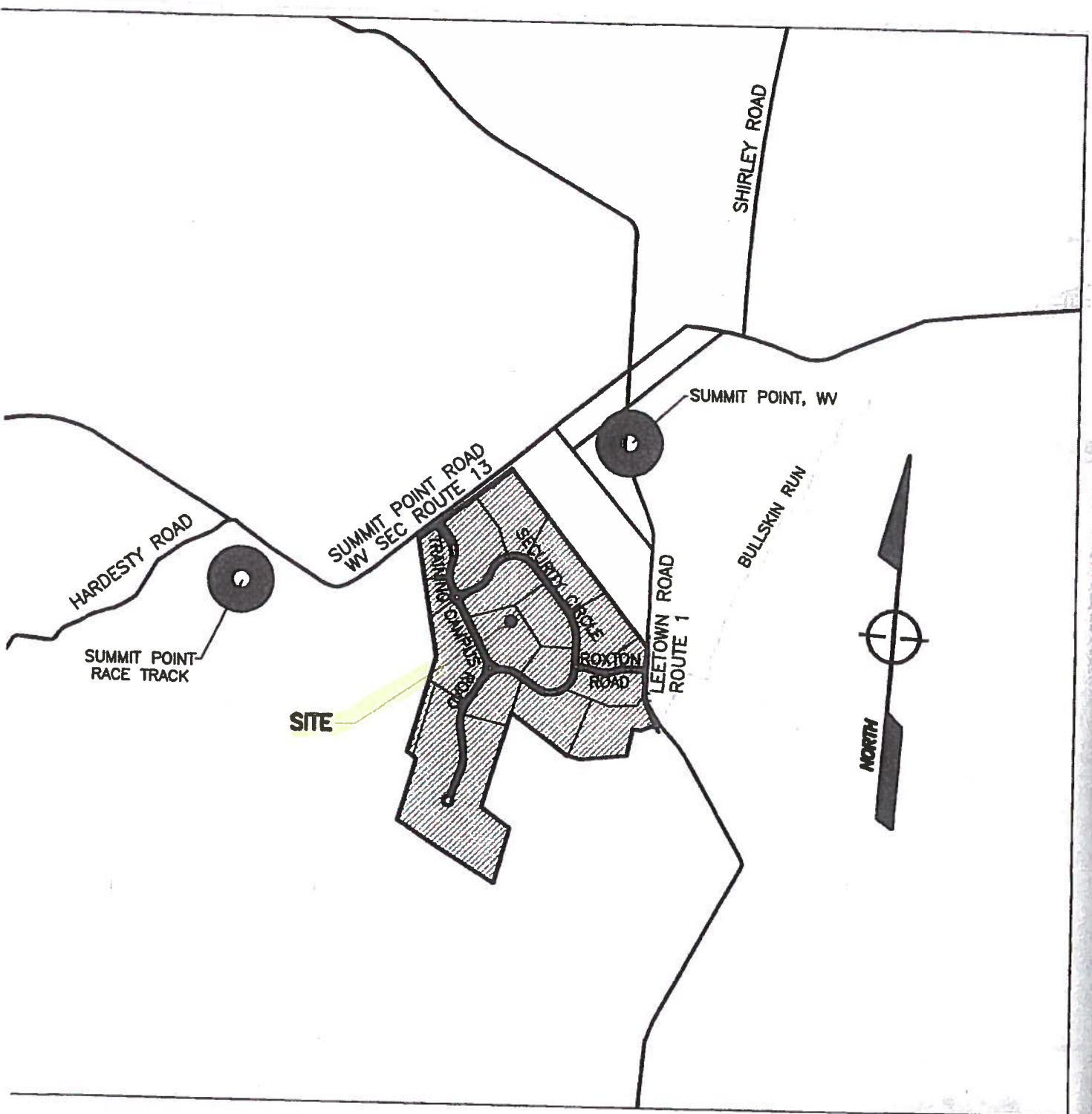
Total Current Bond Amount \$ 3,019.00

Cost of Work Remaining \$ 0.00 + Contingency Amount \$ 0.00

= Approved for Revised Bond Amount \$ 0.00

Reviewed By: JOSEPH W. KENT [Signature] Title: L.D.I.

Signature: [Signature] Date: 12 / 11 / 2018



VICINITY MAP
SCALE: 1"=2000'

GS

DETAILS
AD

DESIGN & SITE

GUTTER

AGENDA REQUEST FORM

www.jeffersoncountywv.org

NAME: Lynn Fields

DEPARTMENT OR ORGANIZATION: Probate Office

ESTIMATION OF TIME NEEDED FOR APPT.: 10-20 minutes

DATE REQUESTED: 1ST CHOICE January 3rd, 2019

IF A SPECIFIC DATE IS NEEDED, PLEASE PROVIDE REASON FOR SPECIFIC DATE:

SUBJECT: (1) QUARTERLY REVIEW TO APPROVE/CLOSE ESTATES
(2) Approve and accept Findings and Recommendations of fiduciary commissioner regarding the estate of Billy Joe Clevenger
(3) Refer the estate of Barbara Longerbeam to a fiduciary commissioner for mediation of beneficiary conflicts

PLEASE PROVIDE THE CO. COMM. WITH A DESCRIPTION OF YOUR REQUEST OR PRESENTATION, INCLUDING ANY BACKGROUND INFORMATION:

- (1) Quarterly review to approve estates opened since last quarterly review, and to close estates that have met all requirements of probate.

ARE DOCUMENTS ATTACHED: To follow

IS A PROJECTOR NEEDED?: NO

lfields@jeffersoncountywv.org (304) 728-3210

Regular Term

JANUARY 2019

State of West Virginia, County of Jefferson, to-wit:

At a Regular Term of the County Commission of said County and State, begun and held at the Old Charles Town Library thereof, on Thursday, January 3rd, 2019, beginning at 11:05 a.m.

**PRESENT: Joshua Compton, President
Jane Tabb, Patsy Noland, Ralph Lorenzetti and
Caleb Wayne Hudson, Commissioners**

A list of Wills Probated, Executors qualified, Guardians, Administrators, &c appointed since the last Regular Term of this Commission, to-wit: October 2018 Term, thereof was this day presented to the Commission by the Clerk thereof, examined by it, and ordered filed:

Estate of John Robert Baker, deceased, First and Final Accounting, Henry W. Morrow, Jr., Ancillary Administrator cta

Estate of Shawn Daniel Bender, deceased, First and Final Accounting, Sheila Cunningham, Administratrix

Estate of Yvonne Suzanne Bowman, deceased, First and Final Accounting, Samantha Neff, Administratrix

Estate of John E. Conant, deceased, First and Final Accounting, Thomas S. Conant, Executor

Estate of Evelyn Marie Hammer, deceased, First and Final Accounting, Michael K. Hammer, Administrator

Estate of Louise Hutter Hobson, deceased, Final Settlement, BB&T by Martin Keesecker, Executor

Estate of Ralph Jenkins, deceased, First and Final Accounting, Carol Dean Telewicz, Administratrix

Estate of Marianne Kolen Lamb, deceased, First and Final Accounting, Carol Lamb Dalton, Administratrix

Estate of Jack Leonard Lindahl, deceased, First and Final Accounting, James Keel and Barbara Johnson, Co-Executors

Estate of John Gellert McDowell, deceased, First and Final Accounting, Philip Robert McDowell, Executor

Estate of Daniel John Smith, deceased, First and Final Accounting, D. Frank Hill, III, Administrator

Estate of Mary M. Stanley, deceased, First and Final Accounting, James A. Stanley, Executor

The following Waivers of Final Settlement were this day examined by the Commission and there being no exceptions thereto, and none appearing on the face thereof, same are ordered approved and recorded as follows:

Estate of George William Ambrose, III, deceased, Waiver of Final Settlement, Alison A. Cox, Ancillary Administrator

Estate of Emmett F. Arndt, deceased, Waiver of Final Settlement, Katherine R. Arndt, Executrix

Estate of Cynthia Diane Bark, deceased, Waiver of Final Settlement, Jeffery Whetsell, Executor

Estate of Harriet E. Binkley, deceased, Waiver of Final Settlement, William D. Binkley, Executor

Estate of Sondra L. Creamer, deceased, Waiver of Final Settlement, Alidra Creamer, Executrix

Estate of Donna Lynn Deberry, deceased, Waiver of Final Settlement, Robert G. Albright, Executor

Estate of Ethel R. Frye, deceased, Waiver of Final Settlement, Annitsa D. Spanos, Executrix

Estate of Joseph E. Greene, Jr., deceased, Waiver of Final Settlement, Sandra Marie Greene, Executrix

Estate of Noel F. Haney, deceased, Waiver of Final Settlement, Elizabeth T. Haney, Executrix

Estate of Joseph David Jenkins, deceased, Waiver of Final Settlement, Dennis S. Jenkins, Administrator

Estate of Edward Blaine Kime, Jr. deceased, Waiver of Final Settlement, Kenneth J. Barton, Jr., Ancillary Administrator

Estate of Hilary Schon Lee, deceased, Waiver of Final Settlement, Benjamin L. Lee, Administrator

Estate of Susannah Caley Lynch, deceased, Waiver of Final Settlement, Todd N. Weinman, Executor

Estate of Arietta McDonough, deceased, Waiver of Final Settlement, Shirley Cheshire, Executrix

Estate of Clinton Franklin McNutt, Sr., deceased, Waiver of Final Settlement, Linda Marie McNutt, Administrator

Estate of Marie Hinch Meckoll, deceased, Waiver of Final Settlement, Nancy M. Hoffman, Executrix

Estate of Margaret Mulkey, deceased, Waiver of Final Settlement, Rebecca Mulkey, Administratrix

Estate of James Walter Nicewarner, deceased, Waiver of Final Settlement, Edith Nicewarner, Executrix

Estate of Eva Adeline Bell Oden, deceased, Waiver of Final Settlement, Lisa O. Weiant, Administratrix

Estate of Phillip Noble Oden, deceased, Waiver of Final Settlement, Lisa O. Weiant, Administratrix

Estate of Marvin Bernard Payne, deceased, Waiver of Final Settlement, Heather Dern Myers, Executrix

Estate of Meredith Diann Perry, deceased, Waiver of Final Settlement, Henry W. Morrow, Jr., Administrator

Estate of Virginia M. Potter, deceased, Waiver of Final Settlement, Vickie Breitenberg, Executrix

Estate of Michael Frank Taylor, deceased, Waiver of Final Settlement, Ann H. Taylor, Executrix

Estate of Edward John Trainor, deceased, Waiver of Final Settlement, Marguerite Trainor, Administratrix

Estate of Steven Eugene Tribby, deceased, Waiver of Final Settlement, Linda Tribby, Executrix

Estate of Michael Velez, deceased, Waiver of Final Settlement, Daniel A. Velez, Executor

Estate of Florence Ann Vickers, deceased, Waiver of Final Settlement, Charlotte M. Vickers, Executrix

Accountings and Waivers of Final Settlement submitted from the Fiduciary

Commissioners: June K. Jovanelly, S. Andrew Arnold, Frank D. Hill, III and

David A. Dejarnett:

NONE

President

600 Quarrier Street
Charleston, West Virginia 25301

125 Granville Square
Suite 400
Morgantown, West Virginia 26501

501 Avery Street
Parkersburg, West Virginia 26101



101 South Queen Street
Martinsburg, West Virginia 25401

Post Office Drawer 1419
Martinsburg, West Virginia 25402-1419
(304) 263-0836

www.bowlesrice.com

Southpointe Town Center
1800 Main Street, Suite 200
Canonsburg, Pennsylvania 15317

1217 Chapline Street
Wheeling, West Virginia 26003

480 West Jubal Early Drive, Suite 130
Winchester, Virginia 22601

December 4, 2018

David A. DeJarnett
Telephone — (304) 264-4232
Facsimile — (304) 267-3822

E-Mail Address:
ddejarnett@bowlesrice.com

The Honorable Jacqueline C. Shadle
Jefferson County Clerk
100 East Washington Street
Charles Town, West Virginia 25414

Re: The Estate of Billy Joe Clevenger, deceased

Dear Ms. Shadle:

Enclosed please find the original of my Findings and Recommendations upon the Petition for the Removal of David H. Campbell filed by Travis Clevenger and Brooke Clevenger in the above-referenced matter. I provided a copy of my Findings and Recommendations to the interested parties on November 9, 2018. I held my Findings and Recommendations in my office for ten (10) days from the date thereof before submission to the County Commission. I received no objections to my Findings and Recommendations.

Please let me know what else the County Commission may require of me.

Sincerely,

David A. DeJarnett

DAD/jlf
Enclosure

cc: James T. Kratovil, Esquire (w/encl.)
Mr. David H. Campbell (w/encl.)

BEFORE THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

IN RE: ESTATE OF BILLY JOE CLEVINGER, DECEASED

**FINDINGS AND RECOMMENDATIONS UPON PETITION FOR THE REMOVAL OF
DAVID H. CAMPBELL FILED BY PETITIONERS,
TRAVIS JOE CLEVINGER AND BROOKE CLEVINGER**

There came before the undersigned Fiduciary Commissioner on the 7th day of November 2018, the Petitioners, Travis Joe Clevenger and Brooke Clevenger (“Petitioners”), in person and by counsel James T. Kratovil, upon Petitioners’ Petition for the Removal of David H. Campbell. David H. Campbell (“Respondent”) did not appear in person or by counsel. It appearing to your Fiduciary Commissioner that:

STATEMENT OF CASE

1. Billy Joe Clevenger (“Decedent”) deceased intestate a resident of Jefferson County, West Virginia on December 26, 2017.
2. The Respondent was appointed the personal representative of the Estate of the Decedent (“the Estate”) on or about February 13, 2018.
3. Respondent provided the information for completion of and signed the Application of Fiduciaries for the Estate which indicated that he was an heir.
4. Respondent provided the information for completion of and signed the Appraisement of the Estate which indicated that he was an heir.
5. The Petitioners filed a Petition for the Removal of David H. Campbell (“Petition”), a copy of which is attached hereto as *Exhibit A*, seeking to remove David H. Campbell as the personal representative of the Estate, and to appoint the Petitioners, Travis Joe Clevenger and Brooke Clevenger, as co-personal representatives of the Estate.
6. The Petition alleges that Respondent (1) has converted and continues to convert estate assets to his own use; (2) has used monetary estate assets for his own benefit; and (3) has

occupied and continues to occupy the decedent's last residence without paying rent and committing waste.

7. The undersigned was appointed as Fiduciary Commissioner by the County Commission on or about September 12, 2018 to conducting a hearing on the Petition and issuing findings and recommendations.

8. On the 18th day of October 2018, your Fiduciary Commissioner caused to be personally served upon the Respondent a copy of the October 17, 2018 notice of hearing set for 9:00 am on November 7, 2018. The Affidavit of Service is attached hereto as *Exhibit B*.

9. On the day before the date set for the hearing, your Fiduciary Commissioner was advised by the staff at Kratovil Law Offices that Petitioners' counsel, James T. Kratovil, had to appear in federal court in the morning of November 7, 2018, and requested an extension of time for the hearing to begin until 10:00 am. Your Fiduciary Commissioner agreed to the extension.

10. The Petitioners appeared in person for the hearing shortly before 9:00 am. The Respondent did not appear for the hearing at 9:00 am and did not contact your Fiduciary Commissioner by that time.

11. Prior to 10:00 am the staff at Kratovil Law Offices informed your Fiduciary Commissioner that Petitioners' counsel, James T. Kratovil, would continue to be in federal court beyond 10:00 am and requested another extension of time for the hearing to begin. The Respondent having not yet appeared or contacted your Fiduciary Commissioner, your Fiduciary Commissioner agreed to accommodate Mr. Kratovil and informed his staff that the hearing would begin upon his arrival, if he arrived prior to 1:00 pm.

12. Mr. Kratovil arrived shortly before 12:00 pm and the hearing began and concluded by 12:12 pm.

13. At no time did the Respondent appear for the hearing or make any contact with your Fiduciary Commissioner.

FINDINGS AND RECOMMENDATIONS

14. The allegations against the Respondent are as follows:

a. That Respondent is a stepson to the decedent and not a legal heir of the decedent pursuant to West Virginia Code §42-1-3a.

b. That Respondent has changed the titles to the vehicles owned by the decedent to his own name and placed a title loan on the vehicles.

c. That Respondent has cashed out all the Jefferson Security Bank checking and savings accounts, and an IRA account and used the proceeds for his own use.

d. That Respondent has occupied, and continues to occupy, the decedent's residence located at 84 Quail Lane, Shepherdstown, West Virginia 25443 without paying rent and committing waste.

e. That Respondent continues to convert the decedent's assets for his own benefit.

15. The Respondent did not appear and has not otherwise presented any evidence in defense of the allegations against him.

16. Your Fiduciary Commissioner has no reason to believe that the allegations against the Respondent are not true.

17. Since the Respondent is not an heir of the Estate, he was not entitled to any of the assets of the Estate.

18. Since the Respondent was not entitled to any of the assets of the Estate, his actions resulting in he personally receiving assets of the Estate or any benefit therefrom, constitute significant and substantial breaches of his fiduciary duty to the Estate.

19. The breaches of fiduciary duty by the Respondent have caused waste of the Estate, and thereby have harmed the Estate and the heirs thereof.

20. Therefore, your Fiduciary Commissioner recommends that the Respondent, David H. Campbell, be removed as personal representative of the Estate of Billy Joe Clevenger, and that the Petitioners, Travis Joe Clevenger and Brooke Clevenger, be given the opportunity to qualify before the Clerk as co-personal representatives of the Estate of Billy Joe Clevenger.

CONCLUSION

THEREFORE, it is hereby RECOMMENDED to the County Commission that the County Commission enter an Order:

- i. Granting the Petition in full;
- ii. Removing David H. Campbell as personal representative of the Estate of Billy Joe Clevenger;
- iii. Allowing Travis Joe Clevenger and Brooke Clevenger the opportunity to qualify before the Clerk as co-personal representatives of the Estate of Billy Joe Clevenger
- iv. Requiring the court reporter appearance fee for the hearing on the Petitioner's Petition to Remove David H. Campbell shall be payable by the Petitioners, and the fees and costs payable to the Fiduciary Commissioner for his services with respect to the Petition shall be borne by and paid by the Estate.

The undersigned Fiduciary Commissioner attests that he has mailed a copy of all the papers and matters filed with the County Commission herein to the following interested parties:

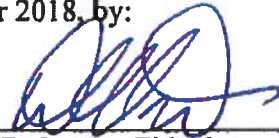
Mr. David H. Campbell
84 Quail Lane
Shepherdstown, West Virginia 25443

Mr. Travis Clevenger
41 Spring Warbler Way
Shepherdstown, West Virginia 25443

Ms. Brooke Clevenger
608 Gosling Marsh Road
Martinsburg, West Virginia 25404

by United States Mail, postage prepaid and securely affixed on the 9th day of November 2018, and has held the same in his office for at least ten (10) days.

Respectfully submitted, this 4th day of December 2018, by:



David A. DeJarnett, Fiduciary
Commissioner for Jefferson County, West
Virginia

EXHIBIT A

Petition for Removal of David H. Campbell

**BEFORE THE COUNTY COMMISSION
OF JEFFERSON COUNTY, WEST VIRGINIA**

IN RE: THE ESTATE OF BILLY JOE CLEVINGER

PETITION FOR THE REMOVAL OF DAVID H. CAMPBELL

Now comes your Travis Joe Clevenger and Brooke Clevenger and petitions the court to remove David H. Campbell as the Person Representative of the Estate of Billy Joe Clevenger.

In support of this petition your Petitioners would represent:

1. That Bill Joe Clevenger died on the 26th day of December 2017 in Jefferson County.¹
2. That on or about February 13, 2018 David H. Campbell was appointed personal representative of the Estate of Billy Joe Clevenger by the Jefferson County Commission.
3. That David Campbell and Cody Webb signed a bond agreement to insure the proper administration of the Estate of Billy Joe Clevenger.
4. That David Campbell listed himself as an heir of Billy Joe Clevenger in the application of fiduciary which inadvertently listed the date of death as December 26, 2018 on the estate appraisal form where he is not an heir.
5. That David Campbell has converted estate assets to his own use to-wit:
 - a. He has had the title to the vehicles owned by the decedent to his own name and placed a title loan on the vehicles.

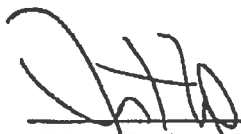
¹ The application of fiduciary inadvertently listed the date of death as December 26, 2018.

- b. He has cashed in all of the checks, savings and IRA accounts listed on the appraisal and used the proceeds for his own benefit.
- c. He has occupied the decedent's last residence and continues to render this without paying rent and committing waste.
- d. That he continues to convert decedent's assets to his own benefit without regard to the rules of law.

6. That the personal representative's actions requires that he be removed as personal representative of the estate.

Wherefore your Petitioners pray that David Campbell be removed as personal representative of the Estate of Billy Joe Clevenger and that they be appointed as co-personal representatives of the Estate of Billy Joe Clevenger.

Travis Joe Clevenger and
Brooke Clevenger, by
Counsel.



James F. Kratovil ID #2103
KRATOVIL LAW OFFICES PLLC
211 W. Washington Street
Charles Town, WV 25414

EXHIBIT B

Affidavit of Service of Process

Before the County Commission of Jefferson County, WV

IN RE: THE ESTATE OF BILLIE JOE CLEVINGER

Affidavit of Service
State of West Virginia

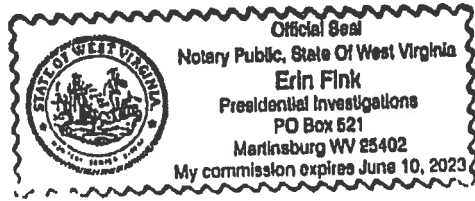
- I, John D Fink, do swear and affirm that the contents of this Affidavit are true and correct.
- I am over 18 years of age and a resident of the state of West Virginia, I am not a party to the above action, and I make this affidavit upon personal knowledge.
- I do swear and affirm under the penalties of perjury that on 10/18/18 @ 2:30pm, I was ~~able~~ unable to serve David H. Campbell by delivering a copy of the Hand Delivery of rescheduled hearing and INSTRUCTIONS for Petition of Removal of David H. Campbell to the following location: 84 Quail Lane Shepherdstown WV.
 - Served in person.
 - Delivered a copy of the _____
To the address of _____
his/her dwelling or usual place of residence, to _____, a member of his/her family over the age of sixteen years.
 - Delivered a copy of the _____
to _____
the agent or attorney, in fact, authorized by appointment or statute to receive or accept process service on his/her behalf.
- By use of diligence, I was unable to effect service as contemplated by Rule 4, W.V.R.C.P. on, _____

The date of my last attempt was _____

5. Further saith not. John D. Fink (signature of process server)

STATE OF WEST VIRGINIA
County of Berkeley
The foregoing instrument was acknowledged before me this day 10-18-18.
My commission expires 6-10-23.

Erin D. Fink
Notary signature



This Findings and Recommendations of the Fiduciary Commissioner upon Petition for the Removal of David H. Campbell, was this ____ day of _____, 2018, presented to the County Commission for confirmation, along with any and all exceptions made and filed by interested parties and it appearing to the County Commission that this estate was referred to said Fiduciary Commissioner, that said findings and recommendations after its completion remained in his office for at least ten (10) days for exceptions, and no exceptions to said Findings and Recommendations of the Fiduciary Commissioner were taken thereto, and the County Commission, having reviewed the Findings and Recommendations, the said Findings and Recommendations are EXAMINED, APPROVED, CONFIRMED and ORDERED recorded, and the County Commission does hereby ORDER that:

- v. The Petition for the Removal of David H. Campbell is hereby GRANTED in full;
- vi. David H. Campbell shall be removed as personal representative of the Estate of Billy Joe Clevenger;
- vii. Travis Joe Clevenger and Brooke Clevenger shall be allowed the opportunity to qualify before the Clerk as co-personal representatives of the Estate of Billy Joe Clevenger
- viii. The court reporter appearance fee for the hearing on the Petitioner's Petition to Remove David H. Campbell shall be payable by the Petitioners, and the fees and costs payable to the Fiduciary Commissioner for his services with respect to the Petition shall be borne by and paid by the Estate.

President of the County Commission of
Jefferson County, West Virginia

11/26/18

Estate of Barbara Longerbeam

I am requesting Bank Statements from 9/10/17 to present of transfers and bills paid.

I want to know when the bank loan was sold, my name is on the deed. I receive no notification of such paper work.

I should be getting 400.00 a month for the sale of the house. However, for the last 2 months I have received nothing. She said I owed for bills but showed no paper work.

I don't want her to handle the estate no longer. The deal on the house was we both get 400.00 now she takes my money.

She has taken my
nut cracker from me
that was left for me
in the will. I want them
back.

Thank you,
Michael Longebow

304-725-7287

I want it all on paper
not sent on computer

Page 1

12/17/18

Barbara Longerbeam Estate

MaryBeth Longerbeam took over as Administrator, C.T.A.

MaryBeth got Barbara Longerbeam .55 and Pension Check, because Barbara was too ~~to~~ ill to handle them at that time of September 3rd 2017. Barbara passed away on Sept 9th 2017. She left a will of which MaryBeth and Rick Longerbeam got most of the stuff, I got a few things that they didn't want.

I moved out at the end of Sept. 2017, moved to my Uncle's House. He paid a friend 20 dollars to move my bed that mom and Dad gave me, plus my cloths and a few dishes of which Marybeth didn't return. then she said she was going to call the cops on me for taking my bed.

Page 2

She took my Nutcracker which I want back.

As of the bills, Marybeth took from me, I have a list, and I think you will see she should have not charged me for all the stuff she charged me for.

First, she took over \$1,500.⁰⁰ from Barbara Lingerbeam Bank Acct and as far as I know never paid a bill, I have not seen one.

Bill I had to pay after I had moved out. I Paid half of all.

- 1.) Trash Bill 325.⁰⁰
- 2.) Chase mortgage 720.⁰⁰
- 3.) cadillac repair 368.⁹¹ marybeth
Sold I got no money for didnt even see the bill of Sale I ask to see.
- 4.) Trash Bill 92.⁵⁰
- 5.) Hired her friend to help her clean her stuff out of house 220.⁰⁰

Page 3

6) Chase mortgage 322³⁶ full payment
Dec 1, 2017

She states that I got nothing
from this stuff it was all
her and Rick Langerbean and
I get the junked up Bern but
not everything in it.

~~6)~~

I should not have to pay
Chase mortgage, nor light bills
where she and kids was the only
one living at house till it
was sold.

I should get back, All from
Chase Mortgage, Total 1042
First energy eBill - 617.¹⁶
Apple valley waste 417.⁸⁰
Cadillac sale - 500.⁰⁰ me -250.⁰⁰
Potomac Edison 203⁰⁰ - March 6, 2018

Bill of sale for Cadillac

Page 4

Legal papers that Loan was
Sold, as my name is on
Deed.

* I have only got paid 220.⁰⁰
of my money for share of
the house, since Oct 2018.

* None in November or December 2018
should have been getting
444.⁰⁰ each month.

* I hope you will take her
off, and make Marybeth Longeborn
repay me my money.

She need to give me bills that
I have paid with receipts
I got none all year.

this is an on going problem as
she thinks she is above the
law.

Isn't that stealing?

page 5

As for the truck that is left with over 100 bags of her trash. She left is still there because her daughter lost the keys.

It was not left to her daughter or nephew. It is one of my assets also.

Thank you,
Michael Longbeam

244 Thomson Street
Summit Point, WV
25446

304-725-7287

Page 6

To Court.

Nickol Longedean, stating leaving center
me at End of September 2017, Eugene Campbell
help to move her stuff to my house

Raymond Lee Jenkins

Breeden ashley@yahoo.com

Deposit: \$6000.00

Expenses for the Estate of Barbara Longerbeam:

Executors Fee of 5% :	300.00
Apple Valley Waste, dumpster	325.00
Chase Mortgage	720.03
First Energy, Electric bill	617.16
Cadillac repairs	368.91
Apple Valley Waste, trash svc	92.80
Probate Fees	112.50
Real Estate Agent, contract prep	300.00
Hired assistance to clean out estate	220.00 (ongoing charge of \$10.00 per hour will be incurred until home is empty)
Chase Mortgage for Dec 2017	322.36 Due Dec 1"
Packaging Material used	68.91
Half year taxes due 11/30/17	453.05

Total already spent for debt owed by Estate \$3900.72

Incoming and ongoing charges will be clean out of estate, rental of truck to haul away auction material and continued mortgage payments as well as tax payments for future years.

Deposit: \$6000.00

Debt pd: \$3900.72

Balance \$2099.28

Due Nicole Longerbeam \$1049.64

Due Mary Beth Longerbeam \$1049.64

Paid Nikki \$1050.00 cash

11/11/17

X Nicole Longerbeam

Mary Beth



Mary Beth Longerbeam <mb7971@gmail.com>

Potomac Edison Payment Notification

1 message

FECustomerService@firstenergycorp.com
<FECustomerService@firstenergycorp.com>
To: mb7971@gmail.com

Tue, Mar 6, 2018 at
11:23 AM

*** Please do NOT reply to this automated confirmation message.***

Your payment to Potomac Edison for your electric account ending in 9953 has been processed.

Payment Details

Confirmation Number: 20780B2M97
Account Number: 9953
Payment Date: March 6, 2018
Payment Amount: \$203.00

If you would like to view your bills online or on a smartphone, consider enrolling in our free, paperless, secure and convenient eBill program. For more information, go to www.firstenergycorp.com/ebill.

You also can have your monthly electric bill payment automatically charged to your Visa® or MasterCard® or Discover® credit or debit card with no additional handling fees with our Automatic Credit Card Payment Program. To enroll in the program and for a complete list of billing and payment options, go to www.firstenergycorp.com/paymentoptions.

If you have questions regarding your electric account, please contact Potomac Edison at 1-800-686-0011, or visit www.firstenergycorp.com/contactus.

Special Notice:

We are warning customers about a scam involving a telephone caller posing as an electric company employee threatening to shut off power unless an immediate payment is made using a pre-paid debit card such as a Green Dot card. Although we may phone customers to remind them that a payment is past due, we would explain how a payment can be made using one of our many payment options. If you receive a call demanding immediate payment using a specific option, please contact us at 1-800-686-0011. For more information, visit www.firstenergycorp.com/paymentoptions.

ePay Preferred

Your payment has been accepted. Please print this confirmation page for your records.

Payment Result		PRINT
Confirmation Number	20780B2M97	
Entry Date:	3/6/2018 11:23:22 AM	
Processing Date:	3/6/2018	
Account Number:	110081239953	
Account Name:	Mary Beth Longerbeam	
Payment Method:	Credit Card	
	XXXXXXXXXXXX5343	

Summary:

Payment Amount	\$198.50
Convenience Fee	\$4.50
Total Amount Paid	\$203.00

CLOSE

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: **Nathan Cochran, Assistant Prosecuting Attorney**

Department or Organization:

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **January 3, 2019**

If a specific date is needed, please provide reason for specific date:

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*):

Please provide the County Commission with a description of your request or presentation, including any background information:

1. Discussion of Jefferson County Civil Action #17-C-282. Discussion/Action.
2. Discussion of renewal of County cable franchise agreement and related issues. Discussion/Action.
3. Discussion of Jefferson County Circuit Court Civil Action #18-P-132. Discussion/Action.
4. Discussion of EEOC Charge #533-2018-01557. Discussion/Action.
5. Discussion of Jefferson County Circuit Court Civil Action #18-C-171. Discussion/Action.
6. Discussion of EEOC Charge #533-2017-00706. Discussion/Action.
7. Discussion of Jefferson County Circuit Court Civil Action # 18-C-201 - Discussion/Action

Is this a funding request? Y/N **NO**

If so, how much? \$

Provide exact financial impact/request:

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*):

Attach supporting documents for request, or request may be denied.

If not attached, explain:

Is equipment needed? Projector **Y/N** Internet/Wi Fi **Y/N** Telephone for conference call **Y/N**

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable



AGENDA REQUEST FORM
www.jeffersoncountywv.org

Name: **Sandy McDonald, Deputy County Administrator**

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **January 3, 2019**

If a specific date is needed, please provide reason for specific date: [Click here to enter text.](#)

Date Requested – 2nd Choice: [Click here to enter text.](#)

Subject (*Wording to be placed on agenda*): **Notice for the 2019 Board of Review and Equalization Discussion/Action**

Please provide the County Commission with a description of your request or presentation, including any background information:

Is this a funding request? **Y/N** [Click here to enter text.](#)

If so, how much? **\$**[Click here to enter text.](#)

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*):

Motion to approve the Board of Review and Equalization Notice for the purpose of reviewing and equalizing assessments for the tax year 2019 and to authorize staff to advertise the notice

Attach supporting documents for request, or request may be denied.

If not attached, explain: [Click here to enter text.](#)

Is equipment needed? **Projector** **Y/N** [Click here to enter text.](#) **Internet/Wi Fi** **Y/N** [Click here to enter text.](#)

Telephone for conference call **Y/N** [Click here to enter text.](#)

Contact information:

Email address: [Click here to enter text.](#) Phone Number: [Click here to enter text.](#)

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

[Click here to enter text.](#)

**NOTICE
Board of Review and
Equalization**

The County Commission of Jefferson County will convene as a Board of Review and Equalization in the County Commission Courtroom at the Courthouse of said County, 100 E. Washington Street, Charles Town, WV on Thursday, January 31st, 2019, at 1:30 p.m., for the purpose of reviewing and equalizing assessments returned by the Assessor of Jefferson County for the tax year 2019.

If you disagree with your appraisal, you may appeal by filing a written petition for an informal review with your county Assessor within eight (8) business days of receiving your Notice of Increase in Assessment.

Please be advised that questions of property tax class changes, questions of taxability or late filing requesting of farm use valuation shall not be addressed.

The Jefferson County Commission will continue to sit as a Board of Review and Equalization in February, 2019 and hold hearings at the Courthouse of said County, 100 E. Washington Street, Charles Town, WV on the following dates and times:

Thursday	January	31, 2019	1:30 p.m.
Tuesday	February	5, 2019	1:30 p.m.
Thursday	February	7, 2019	1:30 p.m.
Tuesday	February	12, 2019	1:30 p.m.
Friday	February	15, 2019	1:30 p.m.
Tuesday	February	19, 2019	1:30 p.m.

Persons wishing to appear before the Commission should apply with the Assessor's office no later than Friday, February 8, 2019 in order to complete the proper forms and to schedule a hearing date prior to the planned final hearing date of Tuesday, February 19th, 2019.

In the alternative, you may also request an appeal by filing a written protest with the Clerk of the County Commission no later than February 20, 2019, indicating you wish your protest to be heard by the County Commission sitting as a Board of Assessment Appeals in October, 2019. If the Board of Review and Equalization has adjourned sine die before February 20, 2018, and a request to have your protest heard by the Board of Assessment Appeals is filed no later than February 20, 2019 with the Clerk of the County Commission, your appeal will be heard by the County Commission sitting as a Board of Assessment Appeals in October, 2019.

Given under my hand this 3rd day of January, 2019.

JACQUELINE C. SHADLE, COUNTY CLERK

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name:

Department or Organization: County Commission

Estimation of amount of time needed for appointment: [Click here to enter text.](#)

Date Requested – 1st Choice: **January 3, 2019**

If a specific date is needed, please provide reason for specific date: [Click here to enter text.](#)

Date Requested – 2nd Choice: [Click here to enter text.](#)

Subject (*Wording to be placed on agenda*): **Approval of contract – CFIA 16cycJeff2019 Grant – Discussion/Action**

Please provide the County Commission with a description of your request or presentation, including any background information:
[Click here to enter text.](#)

Is this a funding request? Yes

If so, how much?

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*):

Motion to approval of contract for CFIA grant – 16cycJeff2019 - and to authorize the President of the Commission to affix his/her signature to the appropriate documents - Discussion/Action

Attach supporting documents for request, or request may be denied.

If not attached, explain: [Click here to enter text.](#)

Is equipment needed? Projector Y/N [Click here to enter text.](#) Internet/Wi Fi Y/N [Click here to enter text.](#)

Telephone for conference call Y/N [Click here to enter text.](#)

Contact information:

Email address: [Click here to enter text.](#) Phone Number: [Click here to enter text.](#)

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

<u>FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS</u>



WEST VIRGINIA
COURTHOUSE FACILITIES IMPROVEMENT AUTHORITY
2003 QUARRIER STREET
CHARLESTON, WV 25311

L. D. EGNOR
CHAIRMAN EMERITUS

JOSEPH M. ALONGI
CHAIRMAN

WV COURTHOUSE FACILITIES IMPROVEMENT AUTHORITY

16th Cycle

Contract Signing Instruction Sheet

- Enclosed are your award notice, two contracts, two check-off lists of the grant requirements, a copy of the special conditions and assurances which were part of the original application, a copy of mandatory reports and a checklist from the State Historic Preservation Office (SHPO). Our grant reports are also available on our web-site: www.cfia.wv.gov. They can be found within the tab labeled "Grant Forms". These forms were also emailed to the Project Director.
- The contracts must be signed by the County Commission President **ONLY**. In addition, the check-off lists must be initialed and signed by the Commission President. Please sign the two contracts (in blue ink) and return both copies of the contract and the check-off sheets. The award notice is for you to keep. After we have received the contracts and check-off sheets, Melissa will sign and we will return one of the contracts and one check-off sheet to you for your file.
- Should you have any questions regarding the SHPO information, please contact their office. We simply included their information to assist you with the section 106 review process.
- Please notify our office if you need a copy of your original application. It is included as an attachment to the contract.

If you have any questions or comments, please contact us at (304) 558-5435 or via email at melissa.smith@wvcfia.com.

Please read everything
in this packet.

Please do not
STAPLE the
contracts.

FUNDING ASSISTANCE CONTRACT AGREEMENT

BETWEEN THE

**WEST VIRGINIA COURTHOUSE FACILITIES
IMPROVEMENT AUTHORITY**

AND

[Jefferson County Commission]

[16cyc Jefferson16 CY2019 19 : Project Number]

16cycJeffe2019 : 16cycJefferson19

Grant ID Number: Application Number

This **AGREEMENT** is entered into this ___ day of _____, 2018 by the Executive Director of the West Virginia Courthouse Facilities Improvement Authority (“CFIA”), for and on behalf of the State of West Virginia, and the President of the [Jefferson] County Commission (the “Recipient” and together with CFIA, the “Parties”).

WHEREAS, CFIA is the administrator of a special revenue account created in the Treasury of the State of West Virginia (the “State”) known as the Courthouse Facilities Improvement Fund (the “Fund”);

WHEREAS, the Recipient has made application to CFIA for project funding assistance to be provided from the Fund;

WHEREAS, CFIA has determined that the application meets Legislative goals set forth in W. Va. Code § 29-26, *et. seq.*; and

WHEREAS, pursuant to W. Va. Code § 29-26-4 and legislative rule § 203-1-3 – 4, CFIA and the Recipient wish to memorialize a legally binding Agreement.

NOW, THEREFORE, the Parties mutually agree as follows:

1. The Recipient agrees to comply with all applicable federal and state laws, rules, regulations and policies promulgated thereunder.
2. CFIA agrees to assist the Recipient in performing such tasks and functions as set forth in the application, which is attached hereto as Exhibit A and made part hereof.
3. The Recipient shall do, perform and carry out in a satisfactory and proper manner as

determined by CFIA all duties, tasks and functions necessary to implement Exhibit A.

4. The Recipient will commence its duties under this Agreement on or about January 1, 2019 and shall continue such duties until completed or no later than December, 31, 2019. The terms of this Agreement may only be extended or modified by the mutual written agreement of the Parties. Extensions will only be granted with documentation of delay.
5. In consideration of the improvements to be made by the Recipient, the sum of up to [\$100,000.00] (the "Funding Assistance Amount") shall be obligated by CFIA. Said amount shall be deemed to be the maximum compensation to be received unless the Parties enter into a written amendment to this Agreement.
6. It is the understanding of the Parties that CFIA by joining in the Agreement does not pledge, or promise to pledge, the credit of the State, nor does it promise to pay all of the compensation hereunder from monies of the Treasury of the State.
7. To be eligible for any and all payments of the funding assistance amount, the Recipient shall submit a Request for Reimbursement to CFIA. Upon receipt of said request, CFIA shall review the same for reasonableness and appropriateness; and if approved, will cause a warrant to be requested on that sum considered reasonable and appropriate. It is expressly understood that the total compensation shall not exceed the amount set forth in Paragraph Five of this Agreement and said compensation will be extended only as outlined in Exhibit A, unless written approval of modification is signed by the Parties. Recipient shall submit a fiscal report detailing expenditures to CFIA as set forth in Exhibit A. Final requests will be withheld until a Project Completion Report is received. The report should include the following items: a statement of completion; photographs(electronic and on CD preferred); cost comparisons; quality of workmanship; quality of materials used; employee/courthouse visitor benefits; timeliness of contractors/materials; problem areas; a statement declaring that all contract requirements were abided by throughout the course of the grant project; and county applicant's project overview/recommendations.
8. Recipient hereby represents that it possesses the legal authority to enter into this Agreement and has attached hereto and made a part hereof as Exhibit B a certified copy of the resolution, motion or similar action which was clearly adopted or passed by the Recipient's governing body; and further, that it has directed and authorized an official representative to act in connection with this Agreement. If the Recipient is a state agency, the completed application signed by the agency head is sufficient.
9. Recipient agrees to abide by the conditions, terms, assurances and certifications which are a part of Exhibit A and such other special terms and conditions as CFIA has set forth in Exhibit C incorporated herein and made part hereof, if said Special Conditions are appropriate to this Agreement.

10. If the Recipient fails to fulfill in a necessary and proper manner any obligations under this Agreement for any reason, CFIA may withhold payments to the Recipient, or cancel or suspend this Agreement and Attachments upon written notice. These obligations include submission of all required progress reports as described in the Attachments by the 20th day of the month following the end of each quarter and with each reimbursement request. If CFIA withholds, suspends or cancels any payment or this Agreement, as provided herein, CFIA shall provide to the Recipient written notice detailing the reasons for such withholding, suspension or cancellation. If the recipient does not submit one (1) or more progress reports, the project will be considered for defunding at the next meeting of the CFIA Board of Directors.
11. CFIA and Recipient may from time to time require changes to the information provided in Exhibit A. Recipient agrees to submit a written request for modification prior to changing any budget line item. All such changes, including any increase or decrease in the amount of compensation hereunder or work to occur, shall be mutually agreed upon by the Parties in writing.
12. If for any reason funds received by CFIA are suspended or terminated in whole or in part, funding for this Agreement shall cease.
13. Recipient shall submit to CFIA a final report within the period prescribed by grant conditions upon the termination of the Agreement. The final report shall reflect actual costs incurred during the terms of the Agreement.
14. Funding assistance may be made dependent upon the Recipient's ability to demonstrate that total project funds have been secured from alternate funding sources where necessary.
15. Recipient is advised that the West Virginia Division of Culture and History State Historic Preservation Office ("WVSHPO") reviews all undertakings permitted, funded, licensed or otherwise assisted, in whole or in part, by the State related to historic preservation for the purposes of furthering all duties outlined by West Virginia Code §29-1-8. This provision requires the WVSHPO to review any potential effect state-funded activities may have on resources eligible for or listed in the National Register of Historic Places. As a recipient of funding from the CFIA, you are obligated to consult with the WVSHPO regarding your proposed project. You must contact the WVSHPO to begin the review process of your project. Include all relevant project information, including, but not limited to, photographs and schematics, where possible, of all relevant proposed work funded by the CFIA. All materials and documentation must be provided to Susan M. Pierce, Deputy State Historic Preservation Officer, Division of Culture and History, 1900 Kanawha Boulevard, E., Charleston, WV, 25305. If you require additional clarification, please contact the WVSHPO at (304) 558-0240. For more information regarding the review process, please refer to 82 CSR § 2-1, *et seq.* (Title 82 Code of State Rules, Series 2: Division of Culture and History, Standard and Procedures for Administering State

Historic Preservation Programs).

16. The Parties agree that notice shall be given by personal service or mailed by certified U.S. Mail, postage prepaid, return receipt requested to the following addresses:
 - A. Courthouse Facilities Improvement Authority
2003 Quarrier Street
Charleston, WV 25311
 - B. **Recipient Mailing Address**
[Jefferson County Commission]
[P.O. Box 250]
[Charles Town, WV 25414]
17. The Recipient shall hold and save CFIA and its officers, agents and employees harmless from liability of any nature, including cost and expense, for or on account of any suits or damages sustained by any persons or property resulting in whole or part from the negligent performance or omission of any employee, agent or representative of the Recipient.
18. Neither this Agreement nor any provision hereof may be amended, modified, waived, discharged or terminated orally, except by an instrument in writing signed by the parties hereto. The provisions of this Agreement shall be binding upon the successors and assigns of each of the Parties. The captions in this Agreement are for the convenience of reference only and shall not define or limit the provisions hereof.
19. This Agreement shall be governed by and construed in accordance with the laws of the State.
20. The Parties hereby agree that in the event one or more portions of this Agreement shall be declared to be invalid by appropriate authority, the remaining provisions of this Agreement shall continue in full force and effect.
21. This Agreement may be executed in any number of counterparts by the Parties, and all such counterparts taken together shall constitute a single instrument.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the Parties attach their signatures representing that each is acting with full authority.



Date _____
Commission President
Signature

Date _____
Melissa K. Smith
Executive Director
Courthouse Facilities Improvement Authority

FUNDING ASSISTANCE CONTRACT AGREEMENT

BETWEEN THE

**WEST VIRGINIA COURTHOUSE FACILITIES
IMPROVEMENT AUTHORITY**

AND

[Jefferson County Commission]

[16cyc Jefferson16 CY2019 19 : Project Number]

16cycJeffe2019 : 16cycJefferson19

Grant ID Number: Application Number

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WHEREAS, the Recipient has made application to CFIA for project funding assistance to be provided from the Fund;

WHEREAS, CFIA has determined that the application meets Legislative goals set forth in W. Va. Code § 29-26, *et. seq.*; and

WHEREAS, pursuant to W. Va. Code § 29-26-4 and legislative rule § 203-1-3 – 4, CFIA and the Recipient wish to memorialize a legally binding Agreement.

NOW, THEREFORE, the Parties mutually agree as follows:

1. The Recipient agrees to comply with all applicable federal and state laws, rules, regulations and policies promulgated thereunder.
2. CFIA agrees to assist the Recipient in performing such tasks and functions as set forth in the application, which is attached hereto as Exhibit A and made part hereof.
3. The Recipient shall do, perform and carry out in a satisfactory and proper manner as

determined by CFIA all duties, tasks and functions necessary to implement Exhibit A.

4. The Recipient will commence its duties under this Agreement on or about January 1, 2019 and shall continue such duties until completed or no later than December, 31, 2019. The terms of this Agreement may only be extended or modified by the mutual written agreement of the Parties. Extensions will only be granted with documentation of delay.
5. In consideration of the improvements to be made by the Recipient, the sum of up to [\$100,000.00] (the "Funding Assistance Amount") shall be obligated by CFIA. Said amount shall be deemed to be the maximum compensation to be received unless the Parties enter into a written amendment to this Agreement.
6. It is the understanding of the Parties that CFIA by joining in the Agreement does not pledge, or promise to pledge, the credit of the State, nor does it promise to pay all of the compensation hereunder from monies of the Treasury of the State.
7. To be eligible for any and all payments of the funding assistance amount, the Recipient shall submit a Request for Reimbursement to CFIA. Upon receipt of said request, CFIA shall review the same for reasonableness and appropriateness; and if approved, will cause a warrant to be requested on that sum considered reasonable and appropriate. It is expressly understood that the total compensation shall not exceed the amount set forth in Paragraph Five of this Agreement and said compensation will be extended only as outlined in Exhibit A, unless written approval of modification is signed by the Parties. Recipient shall submit a fiscal report detailing expenditures to CFIA as set forth in Exhibit A. Final requests will be withheld until a Project Completion Report is received. The report should include the following items: a statement of completion; photographs(electronic and on CD preferred); cost comparisons; quality of workmanship; quality of materials used; employee/courthouse visitor benefits; timeliness of contractors/materials; problem areas; a statement declaring that all contract requirements were abided by throughout the course of the grant project; and county applicant's project overview/recommendations.
8. Recipient hereby represents that it possesses the legal authority to enter into this Agreement and has attached hereto and made a part hereof as Exhibit B a certified copy of the resolution, motion or similar action which was clearly adopted or passed by the Recipient's governing body; and further, that it has directed and authorized an official representative to act in connection with this Agreement. If the Recipient is a state agency, the completed application signed by the agency head is sufficient.
9. Recipient agrees to abide by the conditions, terms, assurances and certifications which are a part of Exhibit A and such other special terms and conditions as CFIA has set forth in Exhibit C incorporated herein and made part hereof, if said Special Conditions are appropriate to this Agreement.

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[Jefferson County Commission]
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18. Neither this Agreement nor any provision hereof may be amended, modified, waived, discharged or terminated orally, except by an instrument in writing signed by the parties hereto. The provisions of this Agreement shall be binding upon the successors and assigns of each of the Parties. The captions in this Agreement are for the convenience of reference only and shall not define or limit the provisions hereof.
19. This Agreement shall be governed by and construed in accordance with the laws of the State.
20. The Parties hereby agree that in the event one or more portions of this Agreement shall be declared to be invalid by appropriate authority, the remaining provisions of this Agreement shall continue in full force and effect.
21. This Agreement may be executed in any number of counterparts by the Parties, and all such counterparts taken together shall constitute a single instrument.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the Parties attach their signatures representing that each is acting with full authority.



_____ Date _____
Commission President
Signature

_____ Date _____
Melissa K. Smith
Executive Director
Courthouse Facilities Improvement Authority

**WV Courthouse Facilities Improvement Authority (CFIA)
16th Cycle Funding Recipient Check-Off List**

By initialing below, I, _____ of the _____ Commission acknowledge that the Commission is expected to file the following reports, adhere to the following timelines, adhere to all requirements that are outlined within the contract and/or the special conditions and assurances, and submit information by the listed due dates as prescribed by the 16th Cycle CFIA funding contract. Furthermore, by initialing below, I commit to ensuring that these requirements are fulfilled.

Initials

Requirement Description

_____ The contract term will be from January 1, 2019 to December 31, 2019. The approved project will be completed by the contract end date, or the Commission will apply for an extension of the project before the end date in accordance with the guidelines of the Funding Assistance Contract Agreement.

_____ A Project Completion Report is due when the project is complete. The following information must be included: A statement of completion, photographs (CD or email), cost comparisons, quality of workmanship and materials used summary, description of benefits to employees/public/courthouse, evaluation of the timeliness of contractors/material delivery, description of problems encountered, a statement indicating that all contract provisions were followed and an overview of the experience and relevant recommendations to CFIA.

_____ A Project Completion Report must be submitted before final reimbursement will be processed by the CFIA.

_____ All requirements outlined within the contract and/or the special conditions and assurances section of the original grant, including but not limited to wage laws, SHPO review, bidding requirements, and ADA compliance, will be followed during the completion of the grant project. CFIA projects are NOT emergency projects or sole source projects. A minimum of three bids must be considered prior to awarding a contract. I understand all CFIA projects must be publically bid in the newspaper and by other means in order to make every effort to obtain a minimum of three bids.

_____ Quarterly Progress Reports must be received by the 20th day of the month following the end of each quarter and also with each reimbursement request, or CFIA may, in its' discretion, withhold, suspend, or cancel any payment(s) and/or suspend or cancel this agreement.

_____ No more than 5% of the grant total may be used to reimburse for architectural and/or engineering design fees. This program is geared toward the "bricks and mortar" of projects. The CFIA does encourage the use of architects and/or engineers, though.

Signatures:



Commission President

Date

CFIA Executive Director

Date

**WV Courthouse Facilities Improvement Authority (CFIA)
16th Cycle Funding Recipient Check-Off List**

By initialing below, I, _____ of the _____ Commission acknowledge that the Commission is expected to file the following reports, adhere to the following timelines, adhere to all requirements that are outlined within the contract and/or the special conditions and assurances, and submit information by the listed due dates as prescribed by the 16th Cycle CFIA funding contract. Furthermore, by initialing below, I commit to ensuring that these requirements are fulfilled.

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Signatures:



Commission President

Date

CFIA Executive Director

Date



Meet and Converse with your Jefferson County Commissioners

Where: South Jefferson Elementary School
4599 Summit Point Rd
Charles Town, WV 25414

When: Monday, January 14, 2019

Time: 6:00 p.m.

*Questions regarding the event should be directed to
the Jefferson County Commission: 304-728-3284*



Dave Hardy
Secretary of Revenue

Dale W. Steager
State Tax Commissioner

STATE TAX DEPARTMENT

December 17, 2018

RECEIVED

DEC 27 2018

**County Commission
of Jefferson County, WV**

Ms. Angie Banks
Assessor of Jefferson County
104 E. Washington Street
Charles Town, West Virginia 25414

Dear Ms. Banks:

Each year the Property Valuation Training and Procedures Commission (PVC) reviews the progress of county assessors' offices in complying with standards established by the PVC. At our meeting on November 29, 2018, the PVC reviewed the county monitoring reports for Tax Year 2018.

At that meeting, we were advised that your office is in compliance with all areas that were reviewed. You and your office personnel are to be commended. Therefore, on behalf of the members of the PVC, I wish to congratulate you on a job well done.

Sincerely,

A handwritten signature in black ink, appearing to read "JA", written over a faint, larger signature.

Jeff Amburgey
Chairman
Property Valuation Training
and Procedures Commission

JA/aj

cc: Members, Property Valuation Training and Procedures Commission
President, Jefferson County Commission

December 15, 2018

Bruce & Maral Strathearn
4838 Bakerton Road
Harpers Ferry WV 25425

Jefferson County Commission
124 East Washington Street
Charles Town WV 25414

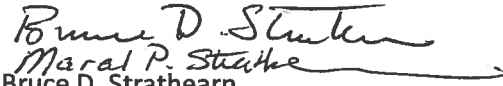
Dear Members of the Commission:

Please add our names to the list of Jefferson County residents who oppose the presence of the Rockwool facility in the county.

Decades ago, your predecessors decided that Jefferson County would be a bedroom suburb of Washington/Baltimore. Agriculture and industry were allowed to wither on the vine to entice more metro area taxpayers to wild and wonderful West Virginia. Now a pollution belching, mega factory with a twenty storey smokestack is being built in the very center of the county! The citizens of Jefferson County deserve to know the facts behind this travesty.

Who has/will profit and how and why?

Sincerely,


Bruce D. Strathearn
Maral P. Strathearn

John Gordon



To: Jefferson County
Commission

Subject: Removal of Civil
War plaque from the
Court house.

Ref: Previous letter on
same subject

1. Attached results of
Survey on above subject
are enclosed.
2. Support my contention
that most people do not
Approve of the commission
Vote. Shame on you,
for going against
the populace.

A handwritten signature in black ink, appearing to read "John Gordon".

Create a safe habitat for wildlife in your own backyard.

Vote online
at journal-news.net

Yesterday's Results

Do you agree with
the Jefferson County
Commission's
decision to remove
the Confederate
plaque from the
courthouse?

Yes	No
22%	78%

Jefferson County Public Service District

RECEIVED

DEC 18 2018

Jefferson County Public Service District
Regular Board Meeting
November 5, 2018

County Commission
of Jefferson County, WV

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, November 5, 2018 in the meeting room at the District's office in Kearneysville. Those in attendance included: Chairman, Roger Forshee (speakerphone); Secretary, Tara Ashley (speakerphone); Treasurer, Todd Milliron; General Manager, April Shultz; Office Administrator, Ashley Stottlemeyer; Operations Manager, Joseph Freeze; legal counsel from Spilman Thomas & Battle, Susan Riggs (speakerphone); and County Commission liaison, Commissioner Josh Compton.

Ms. Ashley called in late to the meeting.

CALL TO ORDER

Mr. Forshee called the meeting to order at 7:00PM.

Approval of agenda

Action: Motion made by Mr. Forshee and seconded by Mr. Milliron to approve the agenda as presented. Approved 2-0.

Public Comments

Heidi Parker personally thanked those who worked on the consolidation. She also thanked the Board as well as those who have passed, Peter Appignani and Martha Zimmerman. Mrs. Parker also appreciated the repairs being done to the pump stations.

Employee Comments

None.

OLD BUSINESS

Review minutes of the September 10 regular board meeting

Action: Motion made by Mr. Forshee and seconded by Mr. Milliron to approve the minutes as presented. Approved 2-0.

Review minutes of the October 3 regular board meeting

Action: Motion made by Mr. Forshee and seconded by Mr. Milliron to approve the minutes as presented. Approved 2-0.

Discuss pump station repairs, upgrades and related costs/funding options

- Update on repairs/upgrades to pump station 4-2
- Discuss repairs/upgrades to pump station 4-5

Mrs. Shultz explained the repairs/upgrades to pump station 4-2 are completed.

Mr. Freeze informed the Board that the seats and saddles are wore out at pump station 4-5 and would like to get them replaced. He received a quote from Marcum Pump not to exceed \$15,000.00. Mrs. Stolipher, from Charles Town Utility Board, agreed with the repair if it was urgent.

Action: Motion made by Mr. Milliron and seconded by Mr. Forshee to not exceed \$20,000.00 for repairs to pump station 4-5. Unanimously approved.

Mr. Milliron also stated he spoke with Mr. Freeze about releasing flow back into pump station 3-6 to possibly help with septicity issues. Mr. Freeze stated he spoke with Mrs. Stolipher and they will work together on that issue.

Consider for approval the District's financial statement audit for the fiscal year ended June 30, 2018

- Review water and sewer annual reports for fiscal year ended June 30, 2018

Mrs. Shultz stated that Yount, Hyde & Barbour incorporated the Board's changes/suggestions from last month into the audit and it should now be approved by the Board.

Action: **Motion made by Mr. Forshee and seconded by Mr. Milliron to approve the Fiscal Year 2018 audit as presented. Unanimously approved.**

Mrs. Shultz also presented the Board with the revised Annual Reports for their review. Mr. Forshee provided Mrs. Shultz with a few suggested changes to both the sewer and water annual reports.

Action: **Motion made by Mr. Forshee and seconded by Mr. Milliron to accept the Fiscal Year 2018 sewer annual report with the noted changes. Unanimously approved.**

Action: **Motion made by Mr. Forshee and seconded by Mr. Milliron to accept the Fiscal Year 2018 water annual report with the noted changes. Unanimously approved.**

Update on the District's Sanitary Sewer Specifications and Standards

- Discuss utilizing Charles Town's specifications
- Discuss Professional Engineer and specifications review

The District's engineering technician provided a comparison of Charles Town's specifications to the District's, but with the recent Supreme Court decision, Mr. Forshee suggested the District continue to use its' existing specifications until the consolidation is complete.

Action: **No action required by the Board.**

Update on grease trap inspection policy and process

- Update on Holiday Inn and Golden Horseshoe grease trap compliance

Mrs. Shultz explained that staff sent a letter last month to the grease trap customers requesting them to submit maintenance records every 6 months. Staff also sent a letter to the Holiday Inn and the Golden Horseshoe requiring them to install a grease trap according to the District's ordinance. The Golden Horseshoe has installed a grease trap since that time and the Holiday Inn ordered one and waiting for the installation to be completed.

Mr. Forshee questioned if the Roadway Inn and the Mediterranean Restaurant needed two separate grease traps, but staff assured him that one was sufficient for both establishments.

Action: **No action required by the Board.**

Consider for approval the 2018-2019 contract pricing with Evoqua for Bioxide

Mrs. Riggs would like to talk with Charles Town's attorney, Mr. Hoy Shingleton, about the current Bioxide contract and the options the District may have on getting out of it since Charles Town is not interested in using it once consolidation is complete. The Board agreed.

Action: **No action required by the Board.**

NEW BUSINESS

Discuss the monthly meeting minute format and content

Mr. Forshee requested this item, but with the recent Supreme Court decision he had no further discussion.

Action: **No action required by the Board.**

Update on JCPSD transition to City of Charles Town

- Update on billing system transfer to Charles Town

Mrs. Shultz informed the Board that staff has been working with Charles Town regarding the billing system transfer. Charles Town has spoken with their software company and doesn't foresee any issues with the billing conversion. She stated the District's staff is also working with JUI on the billing software conversion so that they can begin billing their customers once the consolidation moves forward.

Action: No action required by the Board.

Update on Status of Current Public Service Commission Cases

Jefferson County Commission PSC Case No. 17-0915-PSWD-PC consolidated with Complaint Case PSC no. 18-0006-PSD-C- Mrs. Riggs reported that the Supreme Court issued a decision in favor of the Public Service Commission's previous order. She is now working with Charles Town to finalize the acquisition before the end of the calendar year. Mrs. Stolipher proposed to have the closing documents signed at the December 5th meeting, have signatures on the bond documents December 20th, and the closing on December 27th.

Mr. Forshee requested a copy of the closing documents be sent to Ms. Tish Appignani.

Mrs. Stolipher also requested consent from the Board to reach out to all the District's industrial users to enter into a sewer user agreement with each. The Board agreed.

Action: No action required by the Board.

General Manager's Report

Mrs. Shultz informed the Board of the pressure lost at the Glen Haven water system due to a defective well pump motor. Staff had the water back on later that same day.

Mr. Forshee questioned if the commercial user in Glen Haven pay a security deposit every time they are reconnected the water service in the spring after disconnecting it every winter. Mrs. Shultz stated they do not since they are a long standing customer and had their security deposit refunded in the past. Mr. Forshee wanted to ensure that the District followed the current tariff requirements with this customer. The General Manager ensured the Board that the District is following the tariff.

Action: No action required by the Board.

Other staff reports

No comments from the Board.

Action: No action required by the Board.

Correspondence

Staff received an email from a Glen Haven customer complimenting staff for the way they handled the loss of pressure recently.

Action: No action required by the Board.

Discussion of any expenses over budget for the year

There were no items over budget for the year.

Action: No action required by the Board.

Approve monthly disbursements

Action: Motion made by Mr. Milliron and seconded by Mr. Forshee to approve disbursements for Public Service District sewer expenses in the amount of \$241,033.49. Unanimously approved.

Action: Motion made by Mr. Milliron and seconded by Mr. Forshee to approve disbursements for the Public Service District water expenses in the amount of \$6,548.42. Unanimously approved.

Approve transfer of \$8,135.08 from the New Sewer Security Deposit account to the Sewer Operating account for 51 security deposit refunds

Approve transfer of \$223.29 from the Water Security Deposit account to the Water Operating account for 2 security deposit refunds

Approve transfer of \$21,941.20 from the Renewal & Replacement account to the Sewer Operating account for new pumps at pump station 3-9

Approve transfer of \$24,989.00 from the Renewal & Replacement account to the Sewer Operating account for repair/upgrades at pump station 4-2

Approve transfer of \$17,144.00 from the Renewal & Replacement account to the Sewer Operating account for wetwell relining at pump station 4-2

Action: Motion made by Mr. Milliron and seconded by Mr. Forshee to approve the block of transfers dated November 1, 2018. Unanimously approved.

Public Comment

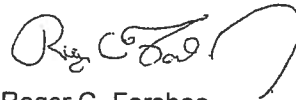
Jacquelyn Milliron commented made several comments on the Bioxide contract and thanked everyone for a job well done.

Action: Motion made by Mr. Forshee and seconded by Mr. Milliron to adjourn. Unanimously approved.

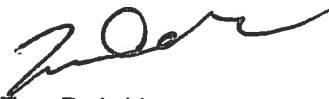
There being no further business at this time, the meeting was adjourned at 8:22PM.

The next regular meeting is scheduled for Wednesday, December 5, 2018 at 7:00PM at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,



Roger C. Forshee
Chairman



Tara D. Ashley
Secretary